

# 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 11<sup>th</sup> September 2018 in the Old Library,  
Fulford Social Hall, School Lane, Fulford.  
Clerk/RFO: Rachel Robinson**

## **18104. Chair's welcome**

The Chair welcomed all present to the meeting.

## **18105. To receive apologies and approve reasons for absence**

- a. Present: Cllr. de Vries (Chair); Cllr. Aspden (Vice-Chair); Cllrs. Urmston, Vevers and J Walker and three members of the public.
- b. Apologies were received and approved from Cllrs. Clare, Francis and G Walker.

## **18106. To receive any declarations of interest**

Cllr. de Vries declared an interest in Items 18117a 17/02687/NONMAT and Item 18118. Cllr. Urmston declared a non-pecuniary interest in Item 18111i.

## **18107. To receive and approve the Minutes of the Parish Council meeting held on 10<sup>th</sup> July 2018 and the Extra-Ordinary Meeting of the Parish Council held on Tuesday 7<sup>th</sup> August 2018**

The Minutes of the 10<sup>th</sup> July 2018 and 7<sup>th</sup> August were approved as a true record.

## **18108. To receive and consider Parishioners' Questions and comments and decide on any necessary action**

A parishioner had copied in the Parish Council on their correspondence in connection with Germany Beck fencing and signage arrangements. Councillors noted the correspondence and the Clerk is to write to the parishioner, thanking them for bringing it to the Parish Council's attention and asking them to report anything further.

A parishioner had contacted the Parish Council with their objection to planning application 18/01719/TPO. The objection was noted and would be considered during the discussion of Item 18117.

A parishioner expressed concerns about the marketing for Persimmon at the Germany Beck development being opened before the road works are complete, commenting that confusing signage was causing a danger to the public and new traffic should not be directed onto a road that isn't complete. The parishioner also commented that the road works should have been finished in March 2018 but the road surface is terrible and not yet complete. The parishioner requested that his views be taken into account during discussions at Item 18118.

A parishioner made representations on behalf of St Oswald's Church with regard to the request at Item 18111.c. The parishioner reported that a number of repairs are going to be necessary in the immediate future with an initial estimated cost in excess of £300,000 for the roof and the North Transept Rose Window. St Oswald's Church is applying for assistance from the Heritage Lottery Fund (HLF) but for any application, the HLF needs to be satisfied that it has the support of the local community. Other community groups have been also approached for support. Councillors made suggestions for additional sources of revenue, many of which had already been considered. The parishioner asked whether the Parish Council would consider sending a letter of support and making a donation towards the project.

The Chair brought forward Item 18111.c. Following consideration, it was resolved to provide a letter of support for the project to HLF from the Parish Council and allocate the sum of £500 towards the cost of the North Transept Rose Window from the community grants budget for 2018/2019.

A parishioner raised the matter of the Local Plan and queried how correspondence could be dealt with expeditiously by the Parish Council through its representative in the course of the consultation process.

Following discussion, it was resolved that the Clerk would investigate a mechanism for dealing with urgent correspondence and decisions within the parameters of the Parish Council's submission.

A parishioner spoke in connection with Item 18122.f. As a dog owner the parishioner said that he did not object to there being a No Dogs rule on School Lane, particularly as there is a football field and playground there but felt that the signage should be improved and included on every entrance to ensure that the rule is clear. He also mentioned that he felt that the Fordlands Road playing field would see an increase in dog walkers despite the No Dogs rule as the Germany Beck development progresses as many dog walkers currently use the land that will become part of the development.

The Chair closed Parishioner's questions.

**18109. To receive and consider a report from the Ward Councillor and decide on any necessary action**

Cllr. Aspden reported that allocations for ward funding were agreed at the last Ward Team meeting and they included highway schemes for painting lighting on Selby Road, installation of new bollard locations on Main Street and some resurfacing on School Lane. It had also been agreed that some Ward Estate money be allocated to a new gateway and bin storage in Glen Close. Cllr. Aspden further reported that new funding would be available and that any applications should be submitted within the next two months or they may have to wait until April 2019. Cllr. Vevers will consider any potential applications for Open Spaces and the Clerk is to email Cllr. Clare to request that she consider any potential applications for the Social Hall.

**18110. To receive and consider a report from the Police and decide on any necessary action**

Reports had been received for July and August from the Police and these were noted. No comments were deemed necessary.

**18111. To consider correspondence received and decide on any necessary action to include:**

**a. Email regarding the Proposed Revocation of 40mph Speed Limit - Main Street/Selby Road (A19) Fulford;**

Following consideration, it was agreed to support the revocation of the 40mph speed limit.

**b. Email from the York Jubilee Air Rifle and Pistol Club;**

York Jubilee Air Rifle and Pistol Club (YJARPC) have asked the Parish Council to consider allowing them to purchase the freehold of the old air raid shelter to them. Discussion included mention that this request had been considered before (some time ago) but at that time it was felt that the sale of Parish Council property was not in the best interests of parishioners. Following discussion, it was resolved that the Clerk would investigate the freehold via HM Land Registry and the solicitors and would thereafter get a full market valuation in order that an informed decision can be made.

**c. Email requesting a letter of support/financial contribution for the North Transept Rose Window restoration project from St Oswald's Church;**

This item was discussed at decided at Item 18108.

**d. Email requesting a Community Dig and related matters at the site of the Battle of Fulford from 27<sup>th</sup> October to 4<sup>th</sup> November 2018;**

Following discussion, it was resolved that the Clerk would modify the existing agreement to permit the requested dig.

**e. Emailed notice from Historic England of the application made to add the site of the Battle of Fulford to the Register of Historic Battlefields;**

Following discussion, it was resolved to respond to the consultation setting out support for the designation and to outline the commemoration and significance placed on the battle by residents. It was further agreed that that Cllr. Urmston would contact Historic England to ascertain whether a meeting would be useful.

**f. Emailed correspondence between a parishioner and CoYC relating to signage and closed footpaths along the A19;**

The correspondence was noted and the Clerk is to contact the parishioners to thank them for informing the Parish Council.

**g. Email from residents in connection with display boards attached to trees at Connaught Court;**  
This matter had been resolved as a result of the residents' communications.

**h. Email regarding Fulford Show vehicular access on School Lane;**  
Cllr. Aspden reported that he has brought the matter to the attention of the Fulford Show committee who will discuss it at their meeting in October

Cllr. Urmston left the room for the discussion of the next item.

**i. Email regarding new railings and temporary car park at Connaught Court;**  
Following discussion, it was resolved to respond to the resident expressing sympathy with the concerns about the design of the railings and explain that it would not be expedient for the Parish Council to raise the issue with enforcement. It was further resolved that the Clerk would contact enforcement to make further representations about the illegality of the car park use.

Cllr. Urmston returned to the meeting.

### **18112. Financial Matters**

**a. To approve the following payments:**

	£
<u>Cemetery</u>	
FDMS – Credit Card Machine	16.20
Fuel Genie – Cemetery Vehicles Fuel	177.03
BT – Monthly Phone + Annual Classifieds Advertisements	91.41
Viking – Cleaning Supplies (includes Social Hall supplies), Stamps, Paper	227.57
Neil Puckering Joinery – New Door for Public Toilets	835.20
Hutchinsons – Azural 20 ltr	66.72
PKF Littlejohn LLP – External Auditor – 50% Audit Fee	360.00
<u>Open Spaces</u>	
Sleightholm Landscapes – Grass Cutting 12 <sup>th</sup> & 27 <sup>th</sup> June	492.00
Sleightholm Landscapes – Grass Cutting & Strimming 14 <sup>th</sup> & 30 <sup>th</sup> August	840.00
<u>Social Hall</u>	
Yorkshire Water – Water & Sewerage	87.56
Nortons Heating – Landlords Gas Safety Certificate	75.00
<u>Office/Parish Council</u>	
Amazon – PC Monitor	108.99
GiffGaff – Clerk's Phone	7.50
GiffGaff – Lone Worker's Phone	5.00
York Phone Doctor – Unlock Lone Worker's Phone	8.00
HP Ink	12.99
PKF Littlejohn LLP – External Auditor – 50% Audit Fee	360.00
<u>Staff Costs</u>	
Wages & Salaries	8114.53
HMRC	1867.85
NYPF	2979.46
Clerk Homeworking Allowance	18.00

All payments were approved

**b. To note the bank reconciliation to 31/08//2018**

The bank reconciliation was noted.

**c. To note the budget year to date figures**

The budget year to date figures were noted.

**d. To consider prepaid card application and potential providers.**

The Clerk had reported on various options and card providers and it was resolved to apply for the provider for businesses with the least expensive annual fee (Expend Basic Package).

**18113. To note the Published and Audited Annual Governance and Accountability Statement from the External Auditor for the Year Ended 31 March 2018**

The Published and Audited Annual Governance and Accountability Statement from the External Auditor for the Year Ended 31 March 2018 was noted.

**18114. To consider the additional insurance annual premium in the sum of £125.44 to cover the increased Fidelity Guarantee by £80,000 as decided at the meeting on 10 July 2018.**

It was resolved that the additional premium was approved.

**18115. To consider attendance at the YLCA Training Event on 28<sup>th</sup> November and decide upon any necessary action.**

Following discussion, it was agreed that the Clerk may attend if she feels it would be helpful.

**18116. To consider any candidates for co-option and decide on any necessary action.**

No candidates have applied.

**18117. Planning:**

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

*New applications*

18/01719/TPO - Fell Sycamore; crown lift group of trees to 5.2 metres and prune lateral canopies by 2 metres - protected by Tree Preservation Order no. 21/1985. 1 Connaught Square St Oswalds Road York YO10 4FQ

Following discussion, it was resolved to object as follows:

The row of trees is listed as 'visually prominent' in the 2008 CA Appraisal and they make a significant contribution to the character and amenity of St Oswalds Road;

The scale of the pruning is excessive, causing an adverse impact on public amenity;

No reasons are provided to explain why T318 needs to be felled;

No site notice has been displayed.

18/01820/FUL - Hip to gable roof extension, two storey side and rear extension, single storey rear extension, dormer to rear and detached bin and bike store to rear in association with use of property as an HMO. 50 Heslington Lane York YO10 4NA –

Following discussion, it was resolved to object as follows:

The application infers that the dwelling is currently in use as an HMO for 4 people and that an increase in occupancy to 6 people is permitted development. Due to York's Article 4 Direction, this use would require planning permission;

The loss of the garage & increase in occupants would result in more on-street parking;

The loss of the front garden to provide additional parking space is not supported;

Heslington Lane is characterised by typical 1930s semis with hipped roofs and the conversion of the roof to a gable will harm the character of the streetscene;

The scale of the extension could have an overbearing effect on the neighbour at no 52;

The excessive height and width of the rear dormer does not represent good design;

There is insufficient living/dining space for the number of potential occupants.

18/01821/FUL - Hip to gable roof extension, two storey side and rear extension, single storey rear extension, dormer to rear and detached bin and bike store to rear in association with use of property as an HMO. 58 Heslington Lane York YO10 4NA

Following discussion, it was resolved to object as follows:

The application infers that the dwelling is currently in use as an HMO for 4 people and that an increase in occupancy to 6 people is permitted development. Due to York's Article 4 Direction, this use would require planning permission;

The loss of the garage & increase in occupants would result in more on-street parking;

The loss of the front garden to provide additional parking space is not supported;

Heslington Lane is characterised by typical 1930s semis with hipped roofs and the conversion of the roof to a gable will harm the character of the streetscene;

The scale of the extension could have an overbearing effect on the neighbour at no 60;

The excessive height and width of the rear dormer does not represent good design;

There is insufficient living/dining space for the number of potential occupants.

18/01825/FUL - Two storey side extension. 123 Heslington Lane York YO10 4HS

Following discussion, it was resolved to object as follows:

The scale of the extension is excessive and is not subservient to the host dwelling in height and lack of set back from the front elevation;

Due to its diagonal position compared to Heslington Lane, and the lack of set back of the extension, it will be very visually prominent causing a detrimental impact on the streetscene;

The roof-space does not appear to have sufficient headroom to allow its use as an additional bedroom;

The elevation adjacent to no 121 Heslington Lane has the potential to cause a reduction in privacy, light and outlook for the adjoining neighbour;

Cllr. de Vries left the room for discussion of the next items.

*On-going applications*

17/02687/NONMAT - Non-material amendment to permitted application 12/00384/REMM to alter approved plans, amend approved bat mitigation strategy and to allow installation of drainage outfall - Germany Beck Site East of Fordlands Road York. See Item 18118.d.

Cllr. de Vries returned to the meeting.

18/01480/FUL - Variation of condition 2 (approved plans) of permitted application 16/02665/FUL (Conversion of garage into 1no. dwelling) to alter position of rooflights, omit enclosed yard to rear to provide bedroom with roof terrace, incorporation of vehicle turntable, alterations to first floor windows with associated internal alterations and installation of roller door to garage (retrospective). Cllr. Aspden reported that he had called this in on behalf of residents and it was agreed that Cllr. de Vries will speak on behalf of the Parish Council if it goes to Committee.

Cllr. J Walker left the meeting at 9pm.

18/00175/FULM - Variation of condition 2 of permitted application 13/03481/FULM (erection of 14no. dwellings following demolition of bowling clubhouse and garage block) to alter elevational treatment and increase height of dwellings to facilitate formation of additional floorspace in roofspace (plots 1 to 6 only) - Royal Masonic Benevolent Institute Connaught Court St Oswalds Road York YO10 4QA. Nothing new to consider.

17/01969/FULM - 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.

Cllr. Urmston no longer has an interest in this item following conclusion of the court case. The Clerk is to ensure that 18/00495/FULM Site of Former Fordlands House 1 Fordlands Road York - Erection of 64 bedroom care home is included in the next agenda under ongoing applications.

*i) Enforcement Action*

34 Eastward Avenue

No update has been received. The Clerk will request an update.

b. To note details of planning applications decided by City of York Council and decide on any necessary action

18/01433/TCA The Beeches 21 Fulford Park York YO10 4QE - Crown reduce/crown thin by 25% woodland area; reduce height of Cypress trees by 25%; prune Holly by 20% - protected by Tree Preservation Order no: CYC102.- work permitted

18/01367/TCA Dower House 143 Main Street Fulford York YO10 4PP - Crown lift and reduce Sycamore tree in a Conservation Area – TPO not made

18/01031/FUL 1 Eastward Avenue York YO10 4LZ - Erection of garden shed to front (retrospective) – Refused (KA received an email requesting a meeting before making an appeal)

18/01305/FUL 7 Heath Moor Drive York YO10 4NE - Single storey side and rear extension and conversion of existing garage into habitable rooms including pitched roof over existing flat roof. – Approved

18/00559/FUL 129 Main Street Fulford York YO10 4PP - Change of use from large house in multiple occupation to 5no. bedsits with communal lounge – Approved

18/01185/TPO 2 Atcherley Close York YO10 4QF - Reduction of Oak tree by 5m protected by Tree Preservation Order no. 4/1980 – work permitted but should retain the overall shape, form and character of the tree(s)

18/00495/FULM Site of Former Fordlands House 1 Fordlands Road York - Erection of 64 bedroom care home, car parking and landscaping following the demolition of existing care home (revised scheme) – Approved

**18118. To receive and consider an update on matters pertaining to Germany Beck and decide on any necessary action to include:**

**a. Any update on the proposed A19 Flood Alleviation Works Fordlands Road Playing Field Bund Plan and decide upon on any necessary action.**

Nothing new to consider.

**b. Any correspondence with Persimmon and decide upon any necessary action.**

Nothing new to consider.

**c. Any update with regard to the Liaison Advisory Committee (LAC) and decide upon any necessary action**

Following discussion, it was agreed that the Open Spaces working group should meet prior to the next LAC meeting to consider recommendations for the Parish Council's aspirations for the funds and land due under the terms of the s.106 Agreement. It was further agreed that the Clerk would write to Robin McGinn to request an update on the date for the next meeting and would circulate the draft minutes from the last meeting to all councillors.

**d. 17/02687/NONMAT - Non-material amendment to permitted application 12/00384/REMM to alter approved plans and amend approved bat mitigation strategy. Germany Beck Site East of Fordlands Road York.**

Discussed in the on-going applications under Item 18117 during the absence of Cllr. de Vries. A response from Mike Slater to David Walton's letter was still awaited but the application had not been included on the agenda for planning committee on 13th September as previously had been intended. Following discussion, it was resolved to await the response from Mike Slater and advice from David Walton thereon before making further comment. It was further resolved that Cllr. Aspden would request an update on his reported breach from Rob Harrison and an FOI request should be made for correspondence on these matters. It was further agreed that any statements made to the press should be approved by the Clerk as Press Officer.

**e. Erection of marketing suite and signage without planning permission.**

Discussed in the on-going applications under Item 18117 during the absence of Cllr. de Vries.

Marketing suite – Following discussion, it was resolved to write to enforcement to report the breach of planning control and request that the building be removed on the basis that the building has been erected on green belt land without planning permission and on land designated as open space (as part of the new nature park). The area of land is also earmarked for light woodland planting (60 trees) and willow panels to allow bats to safely cross the new access road

New sign at A19 junction – Following discussion, it was resolved to write to enforcement to report the breach of planning control and request that the sign be removed pending a planning application to erect it in a more suitable location.

It was noted that a number of the streets on the Germany Beck development have been given names without any consultation with the local community and the names have no connection with Fulford. Cllr. Aspden agreed to follow this up with Peter Audin at CoYC.

*To consider exclusion of the press and public from the discussion of any aspect of item 18118.f by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960.*

*In the absence of anything to consider, no exclusion of the press and public from the discussion of any aspect of item 18118.f by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960 was deemed necessary.*

**f. Any update on the boundary dispute and decide upon any necessary action.**

No update to consider.

**18119. To consider correspondence from residents in connection with display boards attached to trees at Connaught Court and decide upon any necessary action.**

This matter had been resolved as a result of the residents' communications and no action was considered necessary other than to thank the resident for their correspondence.

**18120. To receive and consider an update from the Neighbourhood Plan working group and decide on any necessary action**

No update to consider.

**18121. To receive and consider a report from the Cemetery working group and decide on any necessary action to include:**

**a. Consideration of the recommendations for provision of a vehicular barrier at the gates to the cemetery;**

Following discussion, it was resolved to proceed with the order for the electric gates with Yorkshire Electric Gates.

**b. Further consideration of options for additional disabled access to the rear of the Cemetery**

Following discussion, it was resolved, subject to costs, to create a disabled parking space at the car park to the allotments and a pedestrian gate with a RADAR key for the cemetery near the allotments. Costings are to be brought to the next meeting for consideration. It was agreed that if the plan is to proceed, any visitor wishing to use the disabled space in the car park at the allotments is to apply to the cemetery office for a key for which they will pay a deposit.

**18122. To receive and consider a report from the Cemetery Lodge working group and decide upon any necessary action.**

The Chair delegated research of porch designs and quotes to the Clerk.

**18123. To receive and consider a report from the Open Spaces working group and decide on any necessary action to include:**

**a. Review the ground work on the School Lane Playground refurbishment following the email from Dave Meigh at CoYC and subsequent site visit and consider if the remaining amount due to Kompan should be paid.**

Cllr. Vevers reported that he had reviewed the ground. Kompan have not been back to rectify the groundworks and it was agreed to remind them that this would be necessary before payment would be made for the remainder of their invoice.

**b. Consideration of the request to split Allotment 10 into 2 allotments**

Cllr. Vevers reported the division of plots was discouraged in the allotments rules but had been done previously and if done on this occasion would have to be allocated to a specific person rather than a group. Following discussion, it was agreed to put the proposal to the existing tenants at the next allotments meeting before a decision would be made.

**c. Consideration of maintenance and/or replacement of the benches on Main Street in particular, the benches located near Glen Close.**

This item was deferred pending inspection by the Open Spaces working group.

**d. Consideration of CoYC's Forgotten Corners Fund.**

Following discussion, it was agreed that no areas would be put forward.

**e. Consideration of the results of the soakaway test on the Parish Field and further available options**

Cllr. Vevers reported that the soakaway test had been carried out and it would be possible to install a soakaway to a depth of 5 metres in the bottom corner. Sport England have given permission to Cllr. Vevers to speak to their preferred bidder for costings to be revised. All concerned are aware of the imminent deadline and the Sports Club are happy for the job to happen between now and Christmas if it is possible. Cllr. Aspden agreed to check whether planning permission would be necessary for the soakaway and the Clerk is to pass the relevant information to Cllr. Aspden.

Cllr. Vevers also reported that it will be necessary to demonstrate that sports will be played on the field for 25 years. Cllr. Vevers is investigating the possibility of a lease to the Sports Club with Hague & Dixon and will bring the information to the Open Spaces working group meeting.

**f. Consideration of a request for a change of policy in respect of dogs on the Parish Field together with consideration of a complaint received in respect of dogs on the Parish Field.**

A complaint had been received about dog mess on the football pitch and there have been many dogs observed on the field. Correspondence had also been received asking for dogs to be allowed on the Parish Field. During discussion, consideration was given to methods for enforcement of the no dogs policy, signage and potential future issues resulting from completion of the Germany Beck development. Consideration was also given on methods of safeguarding the football pitch and playground area should a decision be taken to permit dogs on the field. For the time being, it was resolved to continue the existing policy and to install a new sign on the double gate on School Lane but to defer the discussion of any policy change and long-term options for the Open Spaces working group to take to a wider consultation with groups who use the field. The Clerk is to contact both parties to inform them of the decision.

**g. Consideration of the request for the use of smoke flares on School Lane Parish Field for wedding photographs.**

Following discussion, it was resolved to contact Dave Meigh at CoYC for advice as concerns were raised for the safety of children/members of the public and the Parish Council has had no prior experience of this.

**h. Further consideration of the following requests from the Sport Clubs following the LAC in light of the advice received from YLCA and CoYC:**

- i) The Sports Club's request to lease the playing field from the Parish Council
- ii) The Sports Club's suggestion for the Parish Council to be a joint applicant in their application for funding for maintenance equipment;
- iii) The potential location of the Sports Club proposed container;
- iv) The Sports Club request for partial match funding a grant being applied for;
- v) 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).

This item was deferred until after Open Spaces working group meeting.

**18124. To receive and consider a report from the Social Hall working group and decide on any necessary action to include:**

**a. To consider request for refund of hall hire;**

Following discussion, it was resolved to refund the full amount

**b. To consider Wifi provider options;**

The Clerk had reported on options and following discussion, it was resolved the Clerk would contact CoYC again for further information.

*To consider exclusion of the press and public from the discussion of any aspect of item 18125/18125 by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960.*

*It was resolved to exclude the press and public from the discussion of any aspect of item 18125/18125 by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960.*

**18125. To receive and consider reports from the HR panel and Clerk and decide on any necessary action to include:**

**a. Social Hall & Street Cleaner update.**



The Clerk's report was considered and it was resolved to act in accordance with the recommendations in the report.

**18126. Confirm date and time of next meeting.**

The next meeting of the Parish Council is on Tuesday 9<sup>th</sup> October at 19:00.

The Chair closed the meeting at 22:13.

Chair