

# 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 10<sup>th</sup> September 2019 in the Old Library, Fulford Social Hall, School Lane, Fulford, York

**Present:** Cllr. Urmston (Chairman), Cllr. Clare, Cllr. de Vries, Cllr. Koprowska, Cllr. Russell, 4 members of the public and the Clerk

### **19094. Chairman's welcome**

The Chairman welcomed all present to the meeting

### **19095. To receive apologies and approve reasons for absence**

Apologies were received and approved from Cllrs. Aspden and Walker.

### **19096. To receive any declarations of interest**

Declarations of interest were received from Cllr. Urmston for Item 19107.b.ii and Cllr, de Vries for Item 19108.c.

### **19097. To receive and approve the Minutes of the Parish Council meeting held on 31st July 2019.**

The Minutes of the Parish Council meeting held on 31st July 2019 were approved as a true record.

### **19098. To consider any candidates for co-option as councillors and decide on any necessary action.**

There being no applications for consideration, this item was deferred to the next meeting.

### **19099. To receive and consider Parishioners' Questions to include:**

*[Public Participation – Members of the public who wish to speak regarding an item within the remit of the Parish Council may do so. Each speaker is limited to 3 minutes and the maximum time for this item is 15 minutes]*

- a. **Email from parishioner in response to the Summer edition of the Parish Newsletter raising queries relating to the budget for Germany Beck planning legal matters, inaccurate and poorly located signage at the new junction at Germany Beck, information given to new residents at Germany Beck.**

Following discussion and consideration of the Clerk's initial response, it was resolved to thank the parishioner for their comments, confirm the Clerk's response and note that the precept had reduced not increased.

A parishioner spoke in support of the views expressed in correspondence received relating to security of the allotments.

A parishioner spoke to bring councillors attention to a pathways issue on Selby Road. The Clerk informed the parishioner that the Ward Councillor had already reported it to City of York Council officers having spoken to other residents.

There being no further parishioner's questions, this item was closed.

### **19100. To note correspondence received and decide on any necessary action to include:**

- a. **Copy of email from Chas Jones to City of York Council;**

The correspondence was noted and the Clerk is to respond with thanks for keeping the Parish Council informed and comment to say that the ideas mentioned were of interest and the Parish Council hopes to liaise with the correspondent in bringing the matter forward.

- b. **Email requesting that Fulford Parish Council follow the lead of the UK Government and York City Council in declaring a climate emergency;**

It was agreed to defer discussion of this matter to the next meeting to allow for further investigation by Cllrs. Clare and Koprowska.

THE CHAIRMAN MOVED FOR ITEMS 19100.c, 19100.f., 19100.r, 19102.b., 19102.c., 19111.a., 19111.b, 19111.c, 19113.e. TO BE DISCUSSED AS ONE ITEM AT THIS POINT OF THE MEETING. The minutes for all items will appear under Item 19100.c.

**c. Email relating to ongoing issues at the allotments;**

Following discussion, it was resolved to reverse the decision on Item 19079.a.i. decided at the meeting of 9th July in response to written notice of a special motion by 3 councillors pursuant to Standing Order 7.a.

Following further discussion, it was resolved to remove the disabled pedestrian gate and reinstate the fence with immediate effect and inform planning enforcement, the user of the gate and interested allotment tenants of the action taken.

The Open Spaces and Cemetery working groups agreed to meet on site on 27<sup>th</sup> September at 4pm to consider options for improvements to the security at the allotments with a view to bringing the results of their investigations to the Allotments Holders meeting on 4<sup>th</sup> October and thereafter to the next meeting of the Parish Council together with any relevant quotations for consideration. Funding options were deferred to the next meeting.

**d. Email requesting information on legal costs;**

The Clerk has already sent some information and it was agreed that this would be confirmed.

**e. Email requesting addition of a link to the website for Registry Offices;**

Following discussion, it was agreed that no link to Registry Offices would be included on the Parish council website.

**f. Email from City of York Planning Enforcement;**

See the Minutes at 19100.c.

**g. Email from YLCA with updates to NALC Model Financial Regulations;**

The email was noted and following discussion, it was resolved to include the recommended updates in the Financial Regulations.

**h. Email from Kompan;**

The correspondence was deferred to the Open Spaces working group for a response.

**i. Email from Scope;**

Following discussion, it was agreed that there was no appropriate site.

The Chairman moved for discussion of Items 19100.k and 19100.l. to be considered with Item 19100.j.

**j. Emails from prospective Germany Beck purchaser relating to information from Homes England & mortgage providers;**

**k. Email requesting information on the Germany Beck Judicial Review action;**

**l. Email from Homes England;**

Draft responses had been circulated and following discussion, it was agreed to send them as drafted.

**m. Information on Germany Beck Liaison /Forum creation/progress;**

Councillors noted the Clerk's response, no further action was deemed necessary.

**n. Email in response to article relating to cyclists' safety in the Parish Newsletter;**

Following discussion, it was agreed to thank the correspondent for the information.

**o. Information on the car parking at the Cemetery;**

Councillors noted the Clerk's response, no further action was deemed necessary.

**p. Information on the proposed Fulford School expansion consequences;**

Councillors noted the Clerk's response, no further action was deemed necessary.

**q. Information on the Park and Ride developments and business park proposals;**

The information was noted.

- r. **Email from allotments tenant re security of the fence to the Cemetery;**  
See Minutes at 19100.c.
- s. **Emails relating to works by Northern Gas off Fenwicks Lane on Fulford Ings;**  
The Clerk had thanked the correspondent for the information and any further discussion was deferred pending completion of the work.
- t. **Email from CoYC relating to the new bus shelter on Fordlands Road;**  
The email was noted. Councillors expressed disappointment that the new bus shelter had been vandalised so soon after installation and noted that arrangements were in place for the graffiti to be removed.
- u. **Email relating to parked cars on Fordlands Road;**  
The email was noted. The Cemetery had reported that cars had been allowed into the Cemetery during the funeral and that the police were on site monitoring traffic.
- v. **Email from the Sports Club regarding a meeting proposed for 30<sup>th</sup> September.**  
The meeting date was noted and it was agreed that one of the Sports Club Representatives would try to attend.

**19101. To receive and consider a report from the Ward Councillor and decide on any necessary action to include:**

- a. **Email copied from Ward Councillor concerning anti-social behaviour on Fordlands Road playing field and the location of a bench on the field.**  
Cllr. Urmston reported that she had spoken to the PCSO about the incident. It was agreed that the Open Spaces working group would investigate the location of the bench options and the Clerk would contact the correspondent with details of the PCSO and to express the Parish Council's sympathies for their experience.

**19102. To receive and consider any suggestions for Ward Funding application to include:**

- a. **Consideration of application for ward funding to repair/replace the bus shelter on Naburn Lane;**  
Deferred pending receipt of estimate of cost.
- b. **Consideration of application for ward funding for the purchase and installation of secure perimeter fencing to Fulford Cemetery extension area**  
Minuted at 19100.c.
- c. **Consideration of application for ward funding to replace the gate to Fulford Allotments**  
Minuted at 19100.c.

**19103. To receive and consider a report from the Police and decide on any necessary action**

The report had been circulated and was noted. It was further noted that the report did not contain the incident reported by an allotment tenant.

**19104. To note the completed External Audit of the 2018/2019 AGAR and its publication on the Parish Council website and noticeboards**

The Clerk was thanked by councillors and the report and its publication were noted.

**19105. Financial Matters**

- a. To approve the payments at Appendix 1  
The following payments were approved

Payee	Reason for Payment	Gross Amount
<b>STAFF COSTS</b>		
All Staff	Net Wages	8037.84
HMRC	Tax & NI	2051.71
NYPF	Pension	2934.46
Clerk	Home Working Allowance	18.00

<b>CEMETERY COSTS</b>		
CoYC	Business Rates	638.00
CoYC	Council Tax	150.00
FDMS - First Data	Chip & Pin Machine Services Charges & Fees	26.80
Fuel Genie	Cemetery Vehicles Fuel	365.06
BT	Monthly Phone - Cemetery	74.59
British Gas	Electricity	30.99
CNG	Gas	48.59
Fulford Flowers	1200 Mixed Plants	432.00
Cockey Hill Lawnmowers	Supply 1x ISEKI Throttle Lever	21.60
John Robertson	2 x Suffolk 5' Memorial Benches	672.60
Tech Tyres Ltd	Implement Repair Loose Wheel	19.20
Tech Tyres Ltd	18/9.50/8 Protector Valve /Agri. Disposal Small Loose Wheel	74.40
Hutchinsons	Azural 20L	63.84
Amazon	Towel Dispenser, bins, key box, extension lead	135.28
JMark Construction Ltd	Cemetery Lodge Renovation Works 2 <sup>nd</sup> Valuation Payment	46548.61
PKF Littlejohn LLP	External Audit AGAR 2018/2019 (50%)	360.00
City of York Council	Recruitment Advert - Admin Assistant	65.00
AO	Fridge & Vacuum Cleaner	303.00
Plusnet	Set up broadband & phone switch	43.20
<b>PARISH COUNCIL</b>		
HP Instant Ink	Printing	12.99
GiffGaff	Clerk's Mobile Phone	6.00
Sage	Monthly Subscription	24.00
Expend - Fulford Parish Council	Subscription	8.39
PKF Littlejohn LLP	External Audit AGAR 2018/2019 (50%)	360.00
<b>SOCIAL HALL</b>		
Plusnet	Broadband & Line Rental	28.20
Smart Cleaning	Commercial Cleaning	271.20
CNG	Gas	60.77
British Gas	Electricity	54.52
Yorkshire Water	Water, Sewerage & Surface Water	94.39
PPS	Toilet Rolls	66.96
Lock Fix Security	Supply & Fit PSU Service Abloy Lock & Proximity System	128.00
<b>OPEN SPACES</b>		
Streetscape	Supply & Install new slide, School Lane - remove old slide	7800.00
Bikedock Solutions Shelterstore	Underground fixings for the new Bus Shelter, Fordlands Road	264.00
Selco	Supplies to re-pave ground surrounding new bus shelter	76.31
<b>ALLOTMENTS</b>		
<b>PLANNING</b>		
Shoosmiths	Judicial Review final invoice	4427.36

- b. To note the receipts at Appendix 2  
The following receipts were noted

Cemetery Income				Parish Council Income			
Purchases	Interments	Memorials	Grave Upkeeps	Allotments	Social Hall Rent	CoYC-PWLB Loan	VAT
2022.00	7176.00	1126.00	35.00	0.00	54.00	0.00	7.00

- c. To note the budget year to date figures - deferred
- d. To consider options for Budget Virement - deferred
- e. To approve the bank reconciliation to 31/08//2019.  
The bank reconciliation to 31<sup>st</sup> July was noted and the bank reconciliation to 31<sup>st</sup> August was deferred pending completion.
- f. To consider any additional transfer to the Expend Prepaid card - no additional transfer required
- g. To note the Statement of Reserves - deferred pending completion.

**19106. To consider the adoption of a grant awarding policy and decide on any necessary action.**  
Deferred pending drafting.

**19107. To receive and consider a report of planning applications and questions considered by the Planning Working Group and decide on any further action:**

**a. New applications**

- i) 19/01640/FUL - First floor rear extension. 85 Fordlands Road York YO19 4QR  
Resolved - No Objections
- ii) 19/01529/FUL - Installation of rooflights to all elevations (retrospective). 14 Heslington Lane York YO10 4LR  
Resolved - No Objections
- iii) 19/01718/FUL - Two storey side extension with dormer and 1no. rooflight to front and 2no. rooflights to rear, single storey side extension and installation of solar panels to front. Replacement of windows throughout with installation of 2no. bay windows to ground floor front. Rose Cottage 61 Main Street Fulford York YO10 4PN  
Resolved - No Objections but comment that would like to be assured that the neighbour at no 57 Main Street does not suffer from an unacceptable loss of outlook
- iv) 19/01307/NONMAT - Non-material amendment to permitted application 17/01100/FUL to add window to south elevation wall, replace glass roof with roof windows and add solar panels to roof. 14 School Lane Fulford York YO10 4LS  
Resolved to object on the basis that:
  - The introduction of a window in the boundary wall is not considered to be a non-material change because it will be visible from School Lane and may appear incongruous in the streetscene.
  - The new window lies directly adjacent to the amenity space and access path to the scout hut and the gun club; the users of this path may therefore wish to comment on the impact of direct overlooking from the window
- v) 19/01633/TCA - Fell 5no. Beech; crown reduce Lime by 30% - tree works in a Conservation Area. Coppergate House 132 Main Street Fulford York YO10 4PS - Already approved but noted
- vi) AOD/19/00305 Condition 6 (Revised elevations of apartments) of approval 12/00384/REMM -Germany Beck Site East of Fordlands Road York  
The application was validated too late for consideration by the Planning working group so it was resolved to request an extension of the consultation period until after the next meeting.
- vii) York Designer Outlet Improvements  
The plans had been submitted but the consultation period had not commenced.

**b. Ongoing applications**

- i) 19/00692/NONMAT - Non-material amendment to permitted application 18/00175/FULM to alter layout and proposed house types F and H (Units 10-14) Royal Masonic Benevolent Institute Connaught Court St Oswalds Road York YO10 4QA  
Following discussion, it was agreed to send a quote from a previous application which stated that development above the garages would be harmful.
- ii) 18/02169/FULM - Change of use of existing care home bungalows (use class C2) to residential dwellings (use class C3) and construction of associated car park and access road from Fulford Park. Royal Masonic Benevolent Institute Connaught Court St Oswalds Road York YO10 4QA  
It was reported that the application was likely to go to Committee in October.
- iii) 19/01260/OUTM Outline application for planning permission for a business park up to 25,084sq.m (Use Class B1) and an Innovation Centre up to 6,503 sq.m (Use Class B1/B2), with ancillary pavilion units up to 836 sq.m (Use Classes A1, A3, A4, D1 and D2), associated car parking, a park and ride facility, including park and ride amenity building up to 186 sq.m, hard and soft landscaping and highway alterations, all matters reserved apart from detailed access Field Adjacent A19 And St Nicholas Avenue York  
It was resolved to send a letter of objection on the grounds previously agreed and to include reference to the orchard and Local Plan employment figures.
- iv) 19/01482/FUL - Use of land as car park for temporary period until July 2020. Allotment Gardens Fordlands Road York  
No update
- v) 19/01451/NONMAT Non-material amendment to permitted application 18/00495/FULM to change windows from sliding sash to casement - Octopus Healthcare Development Ltd Ouse View Care Home 1 Fordlands Road York YO19 4QT  
It was noted that this had been refused on the basis that the changes were considered to be material and therefore a full planning application would be required.  
It was agreed to write to planning to query the inconsistency in decisions on material changes.

**c. To note the following decided applications**

- 19/01217/TCA Scout Headquarters Old School School Lane Fulford York YO10 4LS Fell 2 no. trees in a Conservation Area - Approved
- 19/01409/TCA Fell Rowan tree in a Conservation Area Received 1 The Old Orchard York YO10 4LT - Approved
- 19/01195/TCA Fell ornamental Cherry in a Conservation Area Cestria 10 Fulford Park York YO10 4QE - Approved
- 19/00982/FUL Single storey side and rear extensions 52 Fordlands Road York YO19 4QG - Approved
- 18/02640/FUL Two storey side and front extension and single storey rear extension 11 Fulfordgate York YO10 4LY - Refused
- 19/01633/TCA Fell 5no. Beech; crown reduce Lime by 30% - tree works in a Conservation Area Coppergate House 132 Main Street Fulford York YO10 4PS - Approved
- 19/01451/NONMAT Non-material amendment to permitted application 18/00495/FULM to change windows from sliding sash to casement Octopus Healthcare Development Ltd Ouse View Care Home 1 Fordlands Road York YO19 4QT - Refused
- 19/01410/TCA Fell Leylandii tree in a Conservation Area Chapel Cottage House 33 Main Street Fulford York YO10 4PJ - Approved
- 19/01203/FUL Ground floor extensions to front, side and rear, and first floor extensions to front, side and rear following the demolition of existing garage and garden room Larchtrees 16 Fenwicks Lane York YO10 4PL - Withdrawn
- 19/00987/FUL Change of use from 10 bed House in Multiple Occupation (use class Sui Generis) to 2 no. flats (use class C3) at ground floor with a 7 bed HMO above 23 Main Street Fulford York YO10 4PJ - Approved

**d. Enforcement Action**

- i) 34 Eastward Avenue  
No update
- ii) Germany Beck - Unauthorised marketing suite and sign at A19 junction and further breaches of conditions

It was noted that no action had been taken and no communication received. It was therefore resolved that the Planning working group would write to follow up.

iii) Connaught Court - car park

No update

iv) 15 Heslington Lane

The Planning working group reported that the unlawful extension reported in 2016 remained in place and the property was now on the market. It was agreed to write to planning enforcement to query what action could be taken in respect of the unlawful extension.

v) Fulford Reach Moorings

Reports had been received of the erection of fencing and other structures contrary to the terms of use of the land adjacent to the moorings. As this is a public right of way, it was resolved to take photos and report to planning enforcement.

**19108. To receive and consider an update on matters pertaining to Germany Beck and decide on any necessary action to include:**

**a. To consider any update on the Liaison Advisory Committee.**

The Committee is due to meet on 27<sup>th</sup> September.

**b. To consider exclusion of the press and public from the discussion of any aspect of item 19108.c by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960**

It was resolved that the press and public were excluded from the discussion of any aspect of item 19108.c by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960

Having declared a non-pecuniary interest, Cllr. de Vries left the meeting during the discussion of Item 19108.c.

**c. Any update on the Judicial Review Appeal relating to 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**

Draft responses had been circulated and following discussion, it was agreed to send them as drafted.

Cllr. de Vries returned to the meeting.

The Planning working group reported that the graffiti at the Stone Bridge had reported and had been painted over. The mattress had been removed from the beck by the IDB and subsequently removed from the playing field by CoYC. It was further reported that more fly tipping had occurred since. The Clerk will report the items to CoYC.

The IDB had committed to removing a collapsed tree in the beck but it had not yet been done. The Clerk is to send a reminder.

It was also noted that 5 days notice of the felling of an oak tree at 27 Fulford Park had been received but the timescale had not allowed for the Parish Council to consider a response. Councillors had visited the site with the tree consultant and having liaised with CoYC officers, were satisfied that the tree was in a dangerous condition and that there was no alternative to felling.

**19109. To consider the Trail of the Battle of Fulford Plan and proposals received from Chas Jones and decide on any necessary action.**

Minuted at Item 19100.a. It was further noted that the Parish Council had not been notified or consulted on the planning application. It was resolved that the Clerk would request an extension to allow for consideration and query the lack of notification.

**19110. To receive and consider any update on the Local Plan and decide on any necessary action**

No further information had been received to date. The Clerk is to follow up with John Roberts to ascertain if there have been any developments in response to the submission.

**19111. To receive and consider a report from the Cemetery working group and decide on any necessary action to include:**

**a. Consideration of reversal of Item 19079.a.i. decided at the meeting of 9<sup>th</sup> July in response to written notice of a special motion by 3 councillors pursuant to Standing Order 7.a**

Minuted at Item 19100.c.

**b. Consideration of investigation into provision of a permanent secure boundary to the perimeter of the Cemetery extended area.**

Minuted at Item 19100.c.

**c. Consideration of planning permission application for a secure gate within the permanent secure boundary to enable disabled access to Fulford Cemetery during Cemetery opening hours but outside of office opening hours**

Minuted at Item 19100.c.

**d. Consideration of refund of Grave 9x Plot 18**

Following discussion, it was agreed to issue the refund with the 10% administration deduction.

**e. To consider holiday cover arrangements for Cemetery Superintendent**

Following discussion, it was agreed that the new Administrative Assistant would provide cover and that the Clerk would work at the Cemetery Monday to Thursday between 10am and 2pm to provide assistance.

**19112. To receive and consider a report from the Cemetery Lodge working group and decide upon any necessary action to include:**

**a. Consideration of approval of final stage payment**

It was resolved that provided the valuation came in within budget, payment was authorised.

**b. Consideration of any remaining contingency**

Deferred pending final valuation

**c. Consideration of staff room furniture options**

The members of staff had reported they did not want any additional/replacement furniture. It was decided to consider options for furniture for the meeting room after receipt of the final valuation.

**d. Consideration of process for marketing and terms for letting the upstairs flat**

It was agreed to request 3 agents to value the flat and submit costs for marketing and management of the tenancy. It was further agreed to restrict the number of occupants of the flat to two. It was resolved to defer the decision on which agent to instruct to the Cemetery Working Group and should aim to achieve rent in excess of £600 pcm.

**19113. To receive and consider a report from the Open Spaces working group and decide on any necessary action to include:**

**a. Further consideration of a request by Ovington Cricket Club for use of the Cricket pitch on School Lane playing field**

Having had no further correspondence from them the item was deferred to the next meeting.

**b. Consideration of a request for a new bus shelter on Selby Road**

Deferred to the next meeting

**c. Consideration of area near Stone Bridge being used as a social area for youths - graffiti and fly-tipping there**

As the graffiti and fly-tipping issues were either resolved or in hand and the issues reported to the PCSO, no further action was decided.

**d. Consideration of approval of the cost of a further drainage strategy report and drainage plan for School Lane playing field**

Deferred pending further information

**e. Consideration of allotments access gate arrangements**

Minuted at 19100.c.



**19114. To receive and consider a report from the Social Hall working group and decide on any necessary action to include:**

**a. Consideration of arrangement for additional, periodic cleaning of the social hall**

Following discussion, it was resolved to request an additional 4 hour clean to address any issues.

**19115. To receive and consider a request for installation of a memorial bench on land at the Village Green.**

The Clerk had received a telephone call enquiring about the possibility of a bench but had not received the requested follow-up email with details of location and contact information. It was agreed no further action would be taken until more information had been received.

**19116. To consider protocol correspondence received from YLCA and decide on any necessary action.**

Councillors considered the protocol correspondence and decided that no additional action was required beyond that being taken by CoYC.

**19117. To consider exclusion of the press and public from the discussion of any aspect of item 19116 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 19116 by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960

**19118. To receive and consider reports from the HR panel and Clerk and decide on any necessary action to include:**

**a. Consideration of the Cemetery Assistant vacancy update;**

It was resolved to appoint Kath Cawthorne to the position with commencement of employment set for Thursday 12<sup>th</sup> September.

**b. To set a date for an HR Panel meeting**

It was resolved that the HR Panel would meet on 2<sup>nd</sup> October after the Planning working group and Open Spaces working group meetings.

**19119. Confirm date and time of next meeting.**

The next meeting of the Parish Council is on Tuesday 8<sup>th</sup> October at 7.30 pm.

The Chairman closed the meeting at 9.35 pm.

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**Chairman**