

**Minutes of the meeting held at the Village Hall on Tuesday 23<sup>rd</sup> July 2019**

*The Chairman opened the meeting at 7.02 pm.*

Two members of the public attended the meeting: Mr Mark Askew of Melton Drive, representing Bishopthorpe Scouts and the PCSO Laura Thomson.

Mr Askew informed the meeting there is a possibility that the Scout monthly paper collection, which has operated in Bishopthorpe for over twenty years, could end. The Company who supply the skip have advised that their involvement in the collection is no longer financially viable and have requested a sum of £150 (per skip) from the Scouts going forward. Mr Askew explained that this leaves the Scouts with the following three options:

1. Cease the monthly collection in Bishopthorpe.
2. Pay £150, each month, for a skip from Scout funds – previously provided free of charge each month.
3. Place a permanent, much larger container, in the village replaced free of charge when full, by the supplier.

The preferred option is the third one and Mr Askew asked the Parish Council for support and also for suggestions where this should be placed. He explained that the permanent container would have a capacity of fifteen tonnes and would be filled over a period of time and then emptied periodically. The container would be both fire proof and sealed to prevent fly-tipping.

The Councillors agreed that they would support a permanent container for the storage of paper and discussed the merits of various sites in the village. It was concluded that the best option would be for the skip to be placed in the car park opposite Vernon House on Maple Avenue. As this land is owned by the City Council, the Parish Council was asked to send a letter in support of the proposal. (Mr Askew to forward details of the City Council contact).

**Action Clerk.**

Mr Askew thanked the Parish Council for supporting the Scouts and left the meeting at 7.13 pm.

PCSO Laura Thomson gave a brief update on a small number of reported crimes in Bishopthorpe that occurred during the last month. Cllr. Harrison thanked her for the information and then asked for a police presence at school pick up / drop off times on the 'No Car' days planned for September, October and November.

Cllr. Jemison asked what action is being taken to remove a small traveller encampment, which has appeared in fields close to York College. The PCSO explained that the City Council has issued a 48-hour notice to vacate the land which expires on the 24<sup>th</sup> July at 5pm. The PCSO confirmed that the Police and the City Council are closely monitoring the situation and further action will be taken should this notice be ignored.

Cllr. Harrison thanked PCSO Laura Thomson for attending the meeting. The PCSO left the meeting at 7.19 pm

*The July meeting of Bishopthorpe Parish Council commenced at 7.20 pm.*

**Council Members Present:**

Cllr. Harrison (Chairman), Cllr. Mrs Green, Cllr. George, Cllr. Mellors, Cllr. Jemison, Cllr. Mrs Gajewicz and Cllr. Grabowski.

**19/120 1 Recording the Meeting**

*The right to record, film and to broadcast meetings of Bishopthorpe Parish Council, its committees, sub committees and any joint committees is established under the Openness of Local Government Regulations 2014. Bishopthorpe Parish Council is committed to being open and transparent in the way it conducts its decision making and therefore such recording is permitted under the lawful direction of Bishopthorpe Parish Council. Full rules for recording are available from the Clerk and those people recording any meeting will be deemed to have*

*accepted them whether they have read them or not.*

*All recording must be undertaken in an obvious way and the wishes of any members of the public who do not want to be recorded must be respected. All persons recording the meeting are reminded that the 'Public Participation' period at the beginning of the meeting is not part of the formal meeting.*

19/121 2 **Apologies for absence.**

Cllr Nicholls and Cllr. Mrs Conley

19/122 3 **Declarations of Interest**

At this point Councillors are asked to declare any prejudicial interests they may have in the business on this agenda. No matters were declared.

19/123 4 **Minutes of Meeting 25<sup>th</sup> June 2019**

Acceptance of the minutes was proposed by Cllr. Jemison and seconded by Cllr. Mrs Green. Carried unanimously by all who attended the meeting.

19/124 5 **Consideration of Planning Matters and recommendations of the Planning Group**

5.1 Notice of Applications received

5.1.1 **1a Keble Park North.** Two storey side extension and single storey rear extension. 19/00756/FUL. Revised plans have been submitted. No Objection

5.1.2 **RH Dixon, 31 Main Street.** Prune Yew, Hazel and Holly trees in a Conservation Area. 19/01421/Tree Conservation Area. No Objection

452 Notice of decisions given (*Parish Council decisions are highlighted in red*)

5.2.1 **30 Appleton Court.** First floor rear extension. 19/00456/FUL. (**No Objection**). Approved

5.2.2 **46 Acaster Lane.** Erection of one detached dwelling. 19/00540/FUL. (**Objection**). Refuse

5.2.3 **1a Keble Park North.** Two storey side extension and single storey rear extension. 19/00756/FUL. (**No Objection**). Approved

5.3 Large Householder Extension Notifications

5.3.1 None

5.4 Other Planning Matters

5.4.1 **Executive member decision session 25 July 2019 - Section 53 Wildlife and Countryside Act 1989** – Notice of an application to record a public footpath between Chantry Lane, Bishopthorpe and Acaster Malbis 3. Letter received from City of York Council dated 28th January 2019. Nothing to report.

5.4.2 *Invitation to Mike Slater, City Council to attend a site meeting at Greenfield, Sim Balk Lane* – By email, before the meeting, Cllr. Mrs Conley reported that she awaits a date for a site meeting.

19/125 6 **Services**6.1 Village Hall Management Committee

6.1.1 *Management Committee Report* – Cllr. Grabowski reported that the new Facilities Manager, Jo Paver, is settling in well. However, two issues have arisen:

1. Holiday cover – this will be arranged directly by Mrs Paver.
2. A request has been made to hold a party in the Village Hall which will involve alcohol. Mrs Paver has given her personal guarantee for this event as the booker is known. The Parish Council is happy to allow this to take place on this basis.

Dennis King Electrical Ltd will be contacted to repair a broken light switch - Cllr. Grabowski to send details of the broken switch to the Clerk – **Action Clerk and Cllr. Grabowski.**

6.1.2 *Painting of Village Hall outdoor masonry* – Cllr. Jemison reported that the former contractors could not be contacted and therefore three new companies were asked to supply quotes for the work. Two failed to quote.

Cllr. Jemison proposed acceptance of Nick Jefferson's quote of £380 + vat. This was seconded by Cllr. Harrison and agreed unanimously.

6.2 Sports and Leisure Management Committee

6.2.1 *Management Committee Report* – By email before the meeting, Cllr Nicholls suggested that the Parish Council should decide on a budget for improvements to the Sports Pavilion, which would include a new kitchen, replacement double-glazed windows, replacement showers and toilets and a re-fit to the changing rooms.

However, the meeting questioned the justification of such a large capital investment and the village beneficiaries of such. It was concluded that it would be prudent to upgrade the toilet facilities, as these are used by both Play Group children and also by the sports teams.

Cllr. Grabowski suggested that the existing building should be knocked down and replaced with a new all-purpose building. Cllr. Harrison commented that based on previous year's expenditure this would be expensive and uneconomic. It was also pointed out that an extensive upgrade of the current building was proposed a few years ago and the existing users (Play Group, the Football and Cricket Clubs) were approached for their help. The Parish Council obtained architect proposals but none of the users showed any interest in the project and it was abandoned through lack of support.

The Parish Council is very disappointed to note that Play Group continue to request upgrades to the building but are not prepared to contribute part of the £72,488 held in their reserve funds to help towards the cost of these. When their reluctance to contribute was questioned, it was reported that the funds are held 'by law' to meet redundancies if needed. Following a review of staffing of the Playgroup by the Parish Council, it is felt this is a vast overprovision and it was also noted that it is not a statutory requirement for a non-profit Charity to hold funds in reserve for redundancy payments: it the personal choice of the individual Charity.

The Cricket Club has offered to repaint the inside rooms if the paint is provided by the Parish Council: their offer would be gratefully accepted.

6.2.2 *None payment of BUFC £700 precept (due 30/4/19)* – A final request for payment will be made to BUFC. Should this not be received the Parish Council may consider terminating BUFC use of the sports facilities.

6.2.3 *White Rose Donation* – It was agreed that the Parish Council will donate a sum of £5,000 to the White Rose project. This will split as follows:

£3,000 directly to White Rose (to ensure that the Club meet their £80,000 fund-raising target)

£2,000 will be retained and ring-fenced by the Parish Council to upgrade facilities at the Sports Pavilion where the juniors will continue to play.

This proposal was made by Cllr. Harrison. This was seconded by Cllr. Jemison and agreed unanimously.

6.2.4 *Update on damp problem* – By email before the meeting, Cllr Nicholls reported that there are no on-going problems now that the drain has been cleared.

6.2.5 *Email from a village resident who requested anonymity regarding the Sports Pavilion* – Cllr. Jemison offered to contact the resident directly to discuss his concern. **Action Cllr Jemison**

6.3 Finance Committee

6.3.1 *Committee Report* – Nothing to report.

6.3.2 *Yorkshire Local Councils Association Advice – Important information from PKF Littlejohn LLP – 2018/19 AGAR submission, notice of 1<sup>st</sup> Chargeable chaser letter run on 15<sup>th</sup> July.* This does not apply to Bishopthorpe Parish Council as the Clerk ensured that audited accounts were filed on time.

6.4 Field 84, Riverside and Footpaths Working Party

6.4.1 *Update* – A reply has been received from York Marine Services in which it was confirmed that there will be no tents allowed on the fields owned by York Marine Services in the future.

The fencing on the moorings pre-dates York Marine Services ownership and it is agreed that it spoils the view of the river. However, new tenancy agreements will exclude the right to erect fencing.

York Marine Services are applying for a Marina on their land and will do all in their power to make the area a pleasant place to visit.

6.4.2 *Underpayment of precept by York Marine Services £630* – It was agreed that this will be waived until April 2020.

6.4.3 *Riverside caravan site and tents* – Nothing to report.

6.4.4 *Ferry Cottage and new mooring* – Nothing to report.

**6.5 Youth Support and Children's Recreation**

- 6.5.1 *Monthly park inspection update* – By email before the meeting, Cllr Nicholls confirmed that there are no issues to be reported this month and offered to keep the inspection kit for the month going forward.

Cllr. Jemison attended an on-site inspection of trees that overhang a resident's garden, adjacent to the park. It was agreed that the trees will be pruned – the cost of which will be met by the Parish Council. At the same time Cllr. Harrison requested that the gardener trim back some conifers on the park-side of another resident's garden – the Parish Council will pay for this. **Action Cllr Jemison**

Cllr. Jemison reported that he has organised replacement turf for the top of the tunnels. The supplier has sourced a replacement in AstroTurf at a cost of £600. The proposal to spend £600 on replacement turf was made by Cllr. Jemison. This was seconded by Cllr. Harrison and agreed unanimously.

**6.6 Allotments**

- 6.6.1 *Monthly Report* – Cllr. George reported that two notices of termination have been issued (plots 48 and 69 at the Appleton Road site) to tenants who have broken clause 6a on their Agreements. An existing holder, who was at the top of the waiting list, has agreed to take over plot 48.

Currently there are nine villagers and five non-villagers on the waiting list.

- 6.6.2 *Update on new compost bins for Appleton Road site* – Following consultation with plot holders Cllr. George has discovered that there is little demand for compost bins at the Appleton Road site. Item to be removed from Agenda.

**6.7 Senior Citizens Support and Vernon House**

- 6.7.1 *Monthly Report* – Cllr. Mrs Green reported that a lock has been fitted to the former Launderette door for security purposes.

Cllr. Mrs Green continues to mediate between Npower and the City Council over an issue regarding payment of electricity bills.

**6.8 Web Page Management**

- 6.8.1 *Monthly update* – The page is up to date.

**6.9 Bishopthorpe Library**

- 6.9.1 *Monthly update* – Cllr. Mrs Green reported that the Library Manager wishes to replace an existing window with a door leading directly out to the Sensory Garden. The Parish Council would have no objection to this.

- 6.9.2 *Christmas Tree electricity supply* – (Npower contract to be disconnected upon notification from Richard Williams Electrical Ltd) – Cllr. Harrison offered to contact Richard Williams to progress this matter. **Action Cllr Harrison**

**6.10 Environmental, Sustainability and Accessibility Issues**

- 6.10.1 *Monthly Report* – Nothing to report.

- 6.10.2 *York Flood Alleviation Scheme June Newsletter* – emailed to all 10/6 – Noted.

- 6.11 Community Emergency Planning
  - 6.11.1 *Monthly update* – By email before the meeting Cllr Nicholls reported that he will write an article for Link and for the Web Page asking for volunteers from the village to help with various activities in the case of an emergency. **Action Cllr. Nicolls**
  
- 6.12 Bishopthorpe Orchard
  - 6.12.1 *Committee Update* – Cllr. Mrs Green reported that the October completion deadline is focusing activity at the project.

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## **Financial Transactions**

7.1	<u>Payments to approve</u>		
7.1.1	<b>Cheque / Direct Debit payments</b>		
	<b>Amounts paid</b>		
	Monthly direct debit to E-On Sports Pavilion Electricity	237.00	
	Monthly direct debit to E-On Village Hall Electricity	123.15	
	Monthly direct debit to E-On Village Hall Gas	203.00	
	Savills – Glebe rent paid by Standing Order twice yearly	225.00	
	<b>Total Amount paid</b>	<b>£788.15</b>	
7.1.2	<b>On-Line Banking payments</b>		
	<b>Amounts paid</b>		
	Clerk’s Salary	681.00	
	Clerk’s Expenses- (£0.00)	0.00	
	Village Hall Facilities Manager	437.50	
	Village Hall Facilities Manager – expenses	25.64	
	Julie Bradley - Vernon House Caretaker	250.00	
	Julie Bradley - Vernon House Caretaker expenses	0.00	
	Carol Henk – Sports Pavilion cleaning	120.00	
	Carol Henk – Sports Pavilion cleaning expenses	0.00	
	Advance Fire Services – Annual test of Sports Pavilion (paid 1/7)	63.00	
	Andrew’s Garden Services – Cut lawns Play Area (paid 1/7)	395.00	
	AOL quarterly fee (quarter ending March 2019)	52.29	
	Scott-Lock, Locksmith, new internal door lock, Vernon House	99.00	
	Sports Turf Services Ltd – Grass cuts to Ferry Lane	134.40	
	Rebecca Clark – Locking / unlocking Play Area gate (March to July)	315.00	
	Andy Powell – Sensory Garden gate	84.00	
	City of York Council, waste disposal – Sports Pavilion	55.75	
	City of York Council, waste disposal – Village Hall	60.56	
	York Carpet and Bed Centre – vinyl Village Hall staircase repairs	700.00	
	Bishopthorpe Orchard, Vigo Presses – Apple Press	736.00	
	Bishopthorpe Orchard, Pressfruit – Stainless steel apple scrapper	160.00	
	<b>On-line payment total</b>	<b>4,369.14</b>	
	<b>Payment Total</b>	<b>£5,157.29</b>	

<b>7.2</b>	<b>Income Total</b>		
	Eon refund of overpayment		993.34
	Vernon House April receipts		411.00
	Village Hall Management Committee – (1)		174.00
	New Allotment 12b Acaster Lane		10.00
	White Rose Football precept 2019/20		340.00
	National Westminster Interest		6.79
	Village Hall Management Committee (2)		1788.50
	New Allotment 47a Appleton Road		5.00
	Village Hall Management Committee (3)		250.00
	Village Hall Management Committee (4)		172.00
	<b>Income Total</b>		<b>£4,150.63</b>

Approval of financial transactions proposed by Cllr. Mrs Gajewicz and seconded by Cllr. Mrs Green. Carried Unanimously.

- 19/127    8    **School Governors**
- 8.1    *Infants School* – Nothing to report.
- 8.2    *Junior School* – Nothing to report.
- 19/128    9    **Parish Council Youth Awards**
- 9.1    *Committee Report* – Cllr. Mrs Green continues to make changes to the nomination process which will be rolled out in the Autumn.
- 19/129    10    **Pinfold**
- 10.1    *Committee Report* – Nothing to report.
- 19/130    11    **Sensory Garden**
- 11.1    *Committee Report* – Nothing to report.
- 11.2    *Mosaic repairs* – Cllr. Mrs Gajewicz tried to contact the school before they closed for the summer term. A reply is pending.
- 11.3    *Mrs Neale – Request for the Kelvin Neale memorial bench to be varnished* – In June 2017 Cllr. Harrison contacted the supplier of the bench, ‘Gardens4All’, to discuss how the bench was weathering. The company advised that it would naturally fade to a silver colour over time and did not suggest varnishing it.
- Cllr. Mrs Gajewicz offered to contact Mrs Neale again to discuss this matter. **Action Cllr Gajewicz**
- 19/131    12    **Police Liaison**
- 12.1    *North Yorkshire Police Force* – As noted above.
- 19/132    13    **Local Council Association**
- 13.1    *Yorkshire Local Councils Association* – It was reported to Yorkshire Local Councils Association that workloads continue to increase for Parish Councils as responsibilities are passed down from the City Council. Additionally, it is proving very hard to attract new Parish Councillors – a fact which is experienced at Bishopthorpe Parish Council.

- 13.2 *YLCA Joint Annual Meeting 2019 - 13 July at The Bridge Hotel, Walshford near Wetherby.* Noted.
- 13.3 *YLCA Annual Review 2018/2019* – Noted.
- 13.4 *Full day, play area training event – Thursday 25 July 2019 at Fairburn Community Centre* – Noted.
- 13.5 *White Rose Update July Edition (emailed to all 3/7)* – Cllr. Harrison drew the meetings attention to two articles in the White Rose update –
- A call to put permitted developments through the planning system *and*
  - Work to trees.

19/133 14 **Highway Matters**

- 14.1 *Acaster Lane bus stop / bus box request* – The Parish Council continue to call for the City Council to make this bus stop safe by painting a bus box at the site. To date, the City Council have refused to agree to this request. The Parish Council will continue to chase this matter.
- 14.2 *The Courtyard – request for road markings* – Nothing to report.
- 14.3 *Proposed Lay-by in Bishopthorpe - Cllr. Galvin* – The location of the proposed lay-by remains a mystery known only to the Ward Councillor.
- 14.4 *Email from Mr and Mrs Fawcett - No 11 Bus Terminus - Acaster Lane* – The Clerk was asked to forward this request to the Ward Councillor. **Action Clerk.**

19/134 15 **Correspondence**

- 15.1 City of York not covered elsewhere
- 15.1.1 *City of York Council Dog Wardens-* Noted.
- 15.2 Others
- 15.2.1 *Notice of temporary closure of Sim Balk Lane Post Office* – The Newsagents is re-opened under new management and it is hoped that the Post Office will open again shortly.

19/135 16 **Ward Committee**

The Chairman reported that he recently tried to respond to a comment published on *Bishopthorpe Community Facebook Page* made by Cllr. Galvin. However, the Chairman's right of reply was denied and blocked by the Bishopthorpe Community Facebook Administration team.

The Chairman also sent the reply direct to Cllr. Galvin by email and got the reply "It has gone to bed!". The Parish Council is unaware of what Cllr. Galvin meant by this reply.

*The Chairman's response to Cllr. Galvin's comment on Facebook is printed in full as follows:*

"Dear John

I apologise for the delay in replying to your comment on Facebook but I have just returned from holiday and therefore, like you, will reply both directly to your email and on Facebook.



For ease of reference I will include extracts from your comments prior to my replies.

*“I would remind you and your colleagues that I was elected by residents all be it with a slender majority to be their City Councillor hence I have Democratic Legitimacy, not something the Parish Council can claim!!”*

If you remember in my email to you, I congratulated you on your success in winning the Bishopthorpe and Acaster Malbis Ward in the recent elections so I was a little surprised when you suggested that Bishopthorpe Parish Council does not have the same Democratic Legitimacy. All Bishopthorpe Parish Councillors stood for election but because there were not more than 10 candidates i.e. the number of councillors on the Parish Council - we were elected unopposed.

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*“I would point out that I am not answerable to Parish Council nor do I have to report to the Council”*

*“I have always been willing to cooperate with the Parish Council and have not indicated otherwise, what I am not prepared to accept is the need for me to report on my work or any conversations I might have with officers about the village on a monthly basis.”*

I have never implied that you are answerable to the Parish Council, in my email to you I stated that it would be good to work closer with you and suggested it would be useful if you could drop me an email, say once a month or so, to highlight any matters discussed in your meetings with City of York Council that involve Bishopthorpe.

You are the Ward Councillor for Bishopthorpe and Acaster Malbis and it may therefore be indicative of your willingness to cooperate with Bishopthorpe Parish Council that you have never attended a Bishopthorpe Parish Council meeting for over 8 years – whereas you appear to have attended at least 7 Acaster Malbis Parish Council meetings in the last 12 months.

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*“Had I known you were going to make such a fuss about the possible Lay-By I would not have mentioned it, again it was mentioned in good faith, and there are many ideas that may be discussed with officers that don’t proceed. You can rest assured that in future, schemes etc will only be announced if they are to proceed.”*

I don’t believe we made a “fuss” about the possible Lay-By but like many other Bishopthorpe residents would like to know where the proposed Lay-by will be located.

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You also referred to 4 specific comments in the minutes.

*“Do you really think that the Council would act illegally in setting up five one-member Ward Committees with powers to make decisions?”*

The specific point in the minutes was:

“Confirmation of the legality of a one-person Ward Committee”

My understanding is that the Ward Committee should be made up of the Ward Councillor AND Local Residents – and I quote from the Bishopthorpe and Acaster Malbis Ward web page on City of York Council Web Site:

At the Ward Committee, ward councillors and residents will:

Consider ward priorities or objectives, after taking account of resident ambitions, ward statistics and local intelligence. The Ward Committees will consider local matters and may advise ward councillors on spending the budgets which are devolved to wards.

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*“There are no ring-fenced funds for the proposed Lay By”*

The specific point in the minutes was:

“The exact amount of Ward Funds which have been ring-fenced to install a Lay-By”

You stated that there are no ring-fenced funds for the proposed Lay By but further in your email to me (and on Facebook) you state you have “rolled over the last years balance into this year so that there would be sufficient money to fund the Lay-By”

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*“In the event that the Lay-By goes ahead residents in the vicinity will be given the chance to comment as will the Parish Council”*

The specific point in the minutes was:

“The exact location of the Lay-By”

I repeat my comment above – not only the Parish Council but many residents of the village would like to know the location of the proposed lay-By.

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*“My Ward Budget is all Council Money.”*

The specific point in the minutes was:

“The commitment of City of York Council Highways to the cost of the Lay-By”

To be specific your Ward Budget is provided by the Council Tax of the residents of Bishopthorpe – i.e. our money and that is why we would like some input as to how it is spent and, in this case, whether City of York Highways are contributing to your proposed Lay-By.

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John,

Hopefully we can now put this issue to rest, possibly work closer together in the future and, of course, the offer for you to attend any of our Parish Council meetings is still open.

Also, I believe that anyone reading this must have an interest in maintaining and improving the village in which we all live and if they would like to contribute please consider joining the Parish Council – we currently have 2 vacancies – or, in the first instance, come along to one of our monthly Parish Council meetings to meet us and see how we operate.

Regards,

Stewart Harrison

Chairman – Bishopthorpe Parish Council”

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Cllr. Galvin was invited but did not attend the July Parish Council meeting.

Although requested by the Parish Council, no Ward update report from Ward Councillor Cllr. Galvin has been received.

19/136 17 **Any other business, which the Chairman considers urgent under the Local Government Act 1972**

- None

19/127 18 **Date and time of next meeting – Tuesday 27<sup>th</sup> August 2019, 7pm – at the Village Hall**

Meeting closed at 9.15 pm