

Minutes of the meeting held at the Village Hall on Tuesday 27th August 2019.

The Chairman opened the meeting at 7.00 pm.

One member of the public attended the August meeting of Bishopthorpe Parish Council: Mr Brian Mellors of The Coppice. In his capacity as a churchwarden, Mr Mellors attended the meeting to give advice regarding the Parish Council's application (made in 2006) to record a public footpath between Chantry Lane, Bishopthorpe and Ferry Lane, Bishopthorpe. The footpath is located between St Andrew's Old Church and the River Ouse, and is used daily by members of the public. At a meeting held on 25th July 2019, the City of York Council rejected the 2006 application. The application to record a public footpath was refused on the basis that it is not possible to record a right of way across consecrated land.

However, Mr Mellors advised that it is disputable whether the land in question is consecrated. It is possible that when St Andrew's Old Church fell out of use that the land was de-consecrated. In addition, quoting from the General Synod Legal Advisory Commission, Cllr. Harrison stated that "*The Commission has been asked whether it is possible for a public right of way across a churchyard to be created. The Commission is of the opinion that land forming part of a churchyard can, after 20 years use by the public as a right, be deemed to have been dedicated as a highway under section 31 of the Highways Act 1980*".

The Parish Council decided to lodge an appeal against the City Council's decision to refuse permission to allow the path to be registered as a public right of way with the Planning Inspectorate. **Action Clerk.**

Cllr. Harrison thanked Mr Mellors for attending the meeting.

Mr Mellors left the meeting at 7.19pm.

The August Parish Council meeting commenced at 7.20 pm.

Council Members Present:

Cllr. Harrison (Chairman), Cllr. Mrs Green, Cllr. Mrs Conley, Cllr. George, Cllr. Jemison and Cllr Nicholls

19/138 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.

19/139 2 **Apologies for absence.**

Cllr. Grabowski, Cllr. George and Cllr. Mrs Gajewicz

19/140 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.

19/141 4 **Minutes of Meeting 23rd July 2019**

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

19/142 5 **Consideration of Planning Matters and recommendations of the Planning Group**5.1 Notice of Applications received

5.1.1 **90 Acaster Lane.** Two storey rear extension. 19/01556/FUL. Decision deferred.

5.1.2 **The Old Church Yard, Chantry Lane.** Erection of flood defences and repairs to St Andrew's Cross. 19/01510/LBC. Decision deferred.

5.1.3 **1 Lang Road.** Variation for condition two (approved plans) of permitted application 18/02309/FUL to reduce size of garage, veranda and extension, change bin store to open porch, alternations to garage and veranda roof and removal of two rooflights to side elevation. 19/01746/FUL. Application withdrawn.

5.1.4 **Victoria Cottage, 2 New Lane.** Reduce Hawthorne trees to hedge proportions – protected by Tree Preservation Order CYC16. 19/01813/Tree Preservation Order. Decision will be left to the City Council arboreal experts.

5.1.5 **1 Keble Park South.** Single storey front extension (re-submission). 19/01762/FUL. No Objection.

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

5.2.1 **1 Lang Road** - Non-material amendment to permitted application 18/02309/FUL to reduce size of garage, veranda and extension, change bin store to open porch, change garage and veranda roof from flat ply membrane to sloped GRP roof, remove no. 2 rooflights to side elevation. 19/01450/NONMAT – Application withdrawn.

5.2.2 **35 Acaster Lane.** Variation of condition two of permitted application 18/01425/FUL for single storey side extension. 19/01204/FUL. (**No Objection**) – Approved

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

5.3 Large Householder Extension Notifications

5.3.1 None

5.4 Other Planning Matters

5.4.1 **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 – As discussed above.

- 5.4.2 **Invitation to Mike Slater, City Council to attend a site meeting at Greenfield, Sim Balk Lane** – Cllr. Mrs Conley reported progress in that Mr Slater’s PA has made contact to give details of the new City Council Officer in charge of the application.
- 5.4.3 **Letter from a resident of Keble Park North – collapsed oak tree** – Cllr. Mrs Conley advised the resident that the ownership of the tree cannot be established and suggested that Title Deeds should be consulted.

Cllr. Mrs Conley wished to bring up two other matters under this heading:

- **The rejected application for five hundred and sixteen houses on Moor Lane.** The decision is subject to appeal. Although the development is outside the boundary of Bishopthorpe, should any member of the public wish to object to this development, which may affect Askham Bog, they are asked to search against the reference 18/02687/FUL.
- **Erection of poultry farm comprising three poultry sheds with ancillary buildings, access road and landscaped embankments (resubmission. 16/01813/FUL.** Cllr. Mrs Conley reported that this application, which is based West of Bradley Lane, Rufforth, should have no place in a society that believes in a cruelty-free life for hens. Any member of the public wishing to object to this application should search against the reference 16/01813/FUL.

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Services6.1 Village Hall Management Committee

- 6.1.1 *Management Committee Report* – Enquiries have been made through the Facilities Manager to place a charity clothes bin in the Village Hall car park. There are already a number of these in other village locations and it was agreed that one is not wanted in the Village Hall car park.
- 6.1.2 *Painting of Village Hall outdoor masonry* – Cllr. Jemison reported that the flaking masonry paint has been caused by the failure of the fibre glass roof. The roof was part of the refurbishment undertaken to the building in 2009 but has weathered badly and needs replacing. Cllr. Jemison will look in to obtaining three quotes for the work. **Action Cllr Jemison**

6.2 Sports and Leisure Management Committee

- 6.2.1 *Management Committee Report* – Cllr Nicholls proposed accepting a quote of £280 to replace eight broken roof tiles; treat the moss on the roof and replace broken guttering at the Sports Pavilion. This was seconded by Cllr. Jemison and agreed unanimously. It was agreed that the guttering on the field-side of the building will not be replaced until the fascia boards have been repaired.

Cllr Nicholls is chasing three quotes for updates / repairs to the kitchen. In addition, the cost of changing the toilet is being investigated and Cllr. Mrs Gajewicz is researching the legal requirements to provide disabled facilities.

Following the recent presence of travellers in the village, Cllr. Harrison requested that the Committee be reminded that the Sports Pavilion gate must be closed and locked on a daily basis. **Action Cllr. Nicolls**

- 6.2.2 *White Rose Donation* – The Clerk was asked to contact the White Rose Football Club to inform them that the Parish Council would donate £5,000 to their fundraising cause as agreed in the July Parish Council meeting. **Action Clerk.**
- 6.2.3 *Update on damp problem* – The Clerk was asked to remove this item from the Agenda. **Action Clerk.**
- 6.2.4 *Valuation Office Agency* – The Chairman together with the Clerk will reply to this enquiry. **Action Clerk and Cllr. Harrison**
- 6.2.5 *BUFU – non-payment of £700 precept* – Four requests for payment of the precept, which was due on the 30th April, have been made by the Clerk to the Club. The precept was finally paid on the 12th August.
- 6.3 Finance Committee
- 6.3.1 *Committee Report* – The External Accountants are seeking verification as to the accounting basis that Bishopthorpe Parish Council operate. The Clerk confirmed that the Audited Accounts are produced on a ‘payments and receipts’ basis and this will be confirmed to LittleJohn Accountants. **Action Clerk.**
- 6.4 Field 84, Riverside and Footpaths Working Party
- 6.4.1 *Update* – It was reported that there may be plans afoot for a new marina on land owned by York Marine Services.
- 6.4.2 *Ferry Cottage and new mooring* – A lease has been drawn up by the Parish Council’s solicitors and has been sent to the solicitor representing the owner of Ferry Lane cottage, for acceptance.
- 6.4.3 *Request for copy of liability insurance from York Marine Services – fourth request sent 20/8* – A copy of the liability insurance has now been received.
- 6.5 Youth Support and Children’s Recreation
- 6.5.1 *Monthly park inspection update* – From last month’s inspection duties Cllr Nicholls reported that the level of woodchip is low. The repairs to the tunnels, with new carpet to replace worn turf, is underway.
- The inspection kit was passed to Cllr. Mrs Green for the month going forward.
- 6.5.2 *Quote from Mirfield Tree Services* – Cllr. Jemison proposed acceptance of a quote from Mirfield Tree Services of £250 to trim back overgrown branches. This was seconded by Cllr. Mrs Green and agreed unanimously. **Action Cllr Jemison** A quote for trimming the hedge to the side of the entrance path will be requested.
- 6.6 Allotments
- 6.6.1 *Monthly Report* – The Clerk is in the process of issuing this year’s invoices to allotment holders for annual fees. **Action Clerk.**
- 6.7 Senior Citizens Support and Vernon House
- 6.7.1 *Monthly Report* – Cllr. Mrs Green has obtained a new filing cabinet for use at Vernon House.
- 6.7.2 *Proposal to move the electricity supply to Ecotricity (from Npower)* – It was agreed that when the electricity contract with Npower is due for renewal a source of ‘green’ electricity will be investigated.

Cllr. Harrison proposed formal thanks to Richard Williams Electricity for undertaking the annual PAT test of Vernon House free of charge.

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 Conley reported that Ward Funding of £181 has been granted towards the Summer Reading Challenge.

£145 was raised by the Library at Bishopthorpe Gala.

The following events are upcoming:

18/9 – Susannah Smith, author, will give a talk on her latest book

9/10 – Junior Yoga for the under 5’s

19/10 – Reading Club (new)

21/10 – David Thomas will give a talk entitled ‘Living with the railways’

6.10 Environmental, Sustainability and Accessibility Issues

6.10.1 *Monthly Report* – Cllr. Mrs Conley reported that in future she will report from the York Environment Forum with issues relating to Bishopthorpe.

6.10.2 *Letter from Campaign to Protect Rural England* – Noted.

6.11 Community Emergency Planning

6.11.1 *Monthly update* – Cllr Nicholls reported that he will shortly be publishing an article in Link magazine relating to the Emergency Plan. **Action Cllr. Nicolls**

6.12 Bishopthorpe Orchard

6.12.1 *Committee Update* – Cllr. Mrs Green reported that a booklet on Bishopthorpe’s historic orchards are being produced and will be available for purchase from Bishopthorpe Library.

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Financial Transactions

7.1 Payments to approve

7.1.1 **Cheque / Direct Debit payments**

Amounts paid

ICO – Data Protection Annual Fee	35.00
Monthly direct debit to E-On Sports Pavilion Electricity	237.00
Monthly direct debit to E-On Village Hall Electricity	86.50
Monthly direct debit to E-On Village Hall Gas	203.00

Total Amount paid	£561.50
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7.1.2 **On-Line Banking payments**

Amounts paid

Clerk’s Salary	681.00
Clerk’s Expenses- (<i>Stamps for allotment letters £43.92</i>)	43.92
Village Hall Facilities Manager	437.50

Village Hall Facilities Manager expenses	0.00
Julie Bradley - Vernon House Caretaker	250.00
Julie Bradley - Vernon House Caretaker expenses	0.00
Carol Henk – Sports Pavilion cleaning	150.00
Carol Henk – Sports Pavilion cleaning expenses	0.00
Ainsty Landscapes – Cricket / outfield grass cuts	680.00
Sports Turf Services – Grass cut to Ferry Lane	134.40
AOL quarterly fee (quarter ending July 2019)	54.00
Yorkshire Water – Vernon House April to August	27.07
Yorkshire Water – Village Hall May to August	126.25
Yorkshire Water – Sports Pavilion April to August	94.93
Andy Powell – Sensory Garden gate opening / closing	105.00
Peter Salter – refund of overpayment - June’s Village Hall takings	50.00
Andrew’s Garden Services – Play Area grass cuts and hedge cuts	295.00
Ainsty Landscapes – Play Area grass cuts and hedge cuts	325.00
White Rose – donation towards new facilities on Sim Balk Lane	3,000.00
Bishopthorpe Orchard – RV Roger – Nursery stock winter planting	151.50
On-line payment total	6,605.57
Payment Total	£7,167.07

7.2 Income Total

Village Hall Management Committee (36)	195.00
Village Hall Management Committee – Overpayment	50.00
Vernon House – July Takings	413.00
Vernon House – June Takings	373.91
Village Hall Management Committee – July – August takings	539.50
Income Total	£1,571.41

Approval of financial transactions proposed by Cllr. Jemison and seconded by Cllr. Mrs Conley. Carried Unanimously.

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| 19/145 | 8 | <p>School Governors</p> <p>8.1 <i>Infants School</i> – Nothing to report.</p> <p>8.2 <i>Junior School</i> – Cllr. Mrs Green is seeking volunteers to help dismantle and move a greenhouse to the school grounds.</p> |
| 19/146 | 9 | <p>Parish Council Youth Awards</p> <p>9.1 <i>Committee Report</i> – Nothing to report.</p> |
| 19/147 | 10 | <p>Pinfold</p> <p>10.1 <i>Committee Report</i> – Nothing to report.</p> |
| 19/148 | 11 | <p>Sensory Garden</p> <p>11.1 <i>Committee Report</i> – Nothing to report.</p> <p>11.2 <i>Mosaic update</i> – Before the meeting Cllr. Mrs Gajewicz sent an email to report that she is</p> |

still chasing a response from the Junior School regarding the mosaic and is also obtaining quotes for re-varnishing the memorial wooden bench.

19/149 12 **Police Liaison**

12.1 *North Yorkshire Police Force* – The number of reported burglaries has increased in Bishopthorpe in recent weeks. Residents are reminded to contact the Police on 101 for non-emergencies or 999 for emergencies to report any concerns.

12.2 *Email from Jake Morris* – ‘Say Something September’ Campaign – Cllr. Mrs Green took away the information from Mr Morris to share with Quench and Catalyst Community Resource Group. **Action Cllr Mrs Green**

19/150 13 **Local Council Association**

13.1 *Yorkshire Local Councils Association* – Nothing to report.

13.2 *White Rose Update* – emailed to all 5/8 – Noted.

19/151 14 **Highway Matters**

14.1 *Acaster Lane bus stop / bus box request* – Despite numerous complaints from villagers and repeated requests from the Parish Council for a bus box to be marked on the road for safety reasons at this stop, the City Council refuse to take any action. The Parish Council’s offer to pay for the marking received the following response from the City Council:

“I have spoken to my line manager to discuss your request and offer to pay for the bus clearway marking and associated regulatory signage. We accept that there may be an intermittent problem at this bus stop (which I have not witnessed on several site visits), but we do not believe it sufficient for restrictions to be put in place. The cost of the works is not the issue at this location and if we thought the problem warranted action to be taken, we would pay for it. On the few occasions the stop is not available, the level of parking is unlikely to prevent the bus dropping off passengers before or after the designated stop. We understand the stop is used mainly for drop off, not pick up. We have received no reports from the bus company about significant obstruction or congestion at this location and have not witnessed any level of parking of concern.”

Cllr. Harrison reported that the Parish Council has done all it can to make this corner safer but the City Council will not help in any way to make it so.

14.2 *The Courtyard* – request for road markings – Item to be removed from Agenda. **Action Clerk.**

14.3 *Proposed Lay-by in Bishopthorpe* – The Ward Councillor, Cllr. Galvin, is not prepared to share this information with the village. Item to be removed from Agenda. **Action Clerk.**

14.4 *Number 11 Bus Terminus* – request to move stop – The following reply was received from First Bus in relation to moving the bus terminus stop to the Crematorium:

“There is a reticence from our scheduling and routing team to move the layover point at Bishopthorpe, as it's been moved once before (a number of years ago I believe) also, there is a view that people will not want to wait at the Crematorium either going to or from Bishopthorpe, and we would not want to disbenefit any customers with an unnecessary pause just after or just before the end or start of journey, depending which way we stop”

It was agreed that the bus terminus should be left unchanged.

14.5 *Letter from Bishopthorpe Sports and Social Club regarding footpaths* – Letter to be passed

to Cllr. Galvin. **Action Clerk.**

Cllr. Mrs Green forwarded a complaint from a villager who was delayed, during the Ebor Race Week, at traffic lights at the top of Sim Balk Lane. Cllr. Mrs Green questioned whether the City Council should be contacted to review phasing of the traffic lights. However, following a lively discussion it was agreed that they should not.

19/152 15 **Correspondence**
15.1 City of York not covered elsewhere
15.1.1 None

15.2 Others
15.2.1 None

19/153 16 **Ward Committee**

Ward Committee update report from Ward Councillor Cllr. Galvin:

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

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

19/154 17 **Any other business, which the Chairman considers urgent under the Local Government Act 1972**

- None

19/155 18 **Date and time of next meeting – Tuesday 24th September 2019, 7pm – at the Village Hall**

Meeting closed at 9.20 pm