

Minutes of Meeting held 28th November 2018

Present: Coun P Ridley (Chair), Coun A Moore, Coun O Poulter, Coun J Sanderson, Cllr. B Phillips (HDC), R Dale (Clerk) plus 8 members of the public

1. Apologies

Cllr. A. Wilkinson. The Clerk reported that, as he was leaving the Parish. Coun. R. Gouldthorpe had submitted his resignation as a Member of Council to Chair Ridley, and would therefore not be attending the meeting.

2. Declarations of Interest

Couns. Poulter and Moore declared interests in two of the planning applications.

3. Police Report

The Clerk had received by email a copy of the bimonthly Report covering October and November, during which time there had been just one reported crime in the Parish (Violence against the Person – no further details provided). A full copy of the report has been posted on the Parish Council website. The Clerk also reported that he had written to Sergeant Wilson at the Safer Neighbourhood Team in Northallerton to express disappointment at the absence of any police representation at the past three Council meetings or at the Open Meeting held in June on the topic of traffic and speeding. In a subsequent telephone conversation with him, Sergeant Wilson explained that his policing resources were increasingly stretched and that he would no longer be able to guarantee to send an officer to every PC meeting in future. With two other PC meetings being held on the same time, the best he would be able to offer would be about one meeting in three,

In a separate correspondence with Sam Hutchinson, from the Police and Crime Commissioner's Office, the Clerk reported that Mr Hutchinson had been tasked by Julia Mulligan to develop and improve the Commissioner's contacts within the Community, and to that end had offered to attend a future Council meeting to open discussions. It was agreed to invite Mr Hutchinson to attend the next meeting on 30th January. This was thought to be of especial relevance since the PCC was responsible amongst other things for allocating resources for the Safety Camera Van initiative, and there was obviously a level of dissatisfaction within the area about the infrequency of the deployment of these vans in Morton.

4. Minutes of meetings held 26th September 2018

The minutes of the meeting held on 26th September 2018, having previously been circulated to Council Members, were agreed a true record proposed by Coun. Moore and seconded by Coun. Poulter. No dissensions. The minutes were signed off by Chair Ridley.

5. Matters Arising from Previous Meeting

- 1) In the absence of Mr Sedgwick, the Clerk reported that the problems with the Meadowfields Paddock had now been passed by Peter Jones to the HDC Enforcement Officer, William Richards who would be taking the matter up directly with Linden Homes regarding their Section 106 responsibilities for landscaping not only the Paddock, but also the ditch and the planting of trees and shrubs along the edge of the Green.
- 2) As previously advised, the next official Community Litter Pick was not scheduled to take place until March. Weather and ground conditions were considered to be inappropriate for a Pick to be carried out at this time of year, and, in any event, the Clerk advised that he himself would not be available to organise or oversee a Pick on either the first or second Saturday of the month. In spite of the reservations about the weather/ground conditions, one member of the public volunteered his services and indicated that he would be willing to cover the entire village by himself if necessary, and that he would be able to use his own protective equipment and collection bags so that there would be no necessity for the Clerk to open up the Village Hall to retrieve these items from the Council's own store. He was thanked for his offer.
- 3) The Clerk reported that the Council had now been formally registered with the Information Commissioner's Office in compliance with the latest GDPR (Data Protection) regulations.
- 4) The snicket between Meadowfields and St Helen's Close is now open, allowing a safer route for children going to and from Ainderby School from Meadowfields. However it was noted that there were no barriers installed at either end of the snicket, whereas all of the other snickets in the village are protected in this way. The Clerk was asked to try to identify who was responsible for this area (ie has it yet been formally adopted by Highways?) or whether barriers should have been installed by Linden Homes when the snicket was constructed.
- 5) A parishioner asked to be allowed to bring up the matter of the maintenance of the snicket between Fountains Way and the main road. Although this item had not been included on the agenda, and despite the fact that prior notification to raise this matter at the Council meeting had not been received (in accordance with Standing Orders), the Parishioner was nevertheless given discretionary permission to talk briefly to the subject. He commented that in his opinion, the Council should be seeking to appoint new "sub-contractors" since the work on this snicket was not being carried out to a satisfactory standard or on a timely basis. It was pointed out that the Council did not, in fact, employ any "sub-contractors" with a remit to "maintain" this snicket, or, indeed, any of the snickets in the village. Indeed, it was unclear as to whether the Parish Council had any direct responsibility for maintenance of any of the snickets in the village. The general understanding was that all "housekeeping works" involved in keeping the snickets in the village tidy were carried out entirely by volunteers in their own time, and that, as such, the council could not reasonably be expected to instruct those involved as to the standard of work required. However, in the absence of prior notice of the question

which would have allowed time for proper investigation of the matter, Council regretted that it was not in a position to give a more definitive response to this question at this time.

6. Public Forum

No requests had been received from members of the public to either ask a question or make a statement at the meeting on topics that were not included in the main agenda.

7. Planning Matters.

- 1) A planning application had been received for demolition of an existing garage and construction of a new extension and garage at Newstead. Coun. Poulter declared an interest as the property in question bordered his property. There were no comments on this application.
- 2) Outline planning permission was being sought for the construction of a 3-bedroom bungalow with integral garage at the rear of the Hollies. Coun. Moore declared an interest as the property in question bordered the rear of her own property. However there were no comments on the application.
- 3) A new application had been submitted for alterations and a ground floor extension to form a bedroom and en suite at Avimore. Again there were no comments.

In accordance with normal practice, further details of all of the above can be viewed via the Parish Council website.

8. Cellular Base Station Upgrade on land at Morton Grange

Notification had been received that an upgrade to an existing cellular mast sited near to Morton Grange farm was being considered. This would improve mobile phone communication signals in the area. There were no objections raised.

9. Financial Implications of Parish Council Elections in May 2019

The Clerk reported that the next full Parish Council election, at which all five seats will be contested, is scheduled to take place on Thursday 2nd May 2019, the same day as District Council elections. The cost of the election to the Council will depend on the number of candidates. If there are five (or fewer) candidates, the election will be uncontested and the administration fee charged by HDC will be £100. On the other hand, if there are six or more candidates, such that a ballot is then required, then the total cost could possibly be as high as £1200. However, if the District Council election is also contested, then that part of the charge which relates to the administration of the ballot on the day (ie principally the operating costs of the polling station) will be shared with the District Council. It should be noted that there is an agreement with HDC that Council would have the option to spread these charges over four years if required, and, if this option were to be taken, then the maximum impact on the 2019/20 budget would be £300.

The budget calculations for the 2019/20 Precept (which were carried out before the above information was known) have assumed a sum of only £100 for electoral expenses in the coming year, which will of course be adequate if the election is uncontested. However, if the election is contested, then in the "worst case" scenario, there would be an additional cost in 2019/20 of up to £200 (assuming the total electoral cost is spread over four years), and this extra amount would need to be paid for out of reserves. The Clerk asked Council members to bear these possible financial implications in mind when considering his recommendations for next year's Precept under agenda item 10.4.

10. Finance

- 1) The Clerk reported that the balance of funds, including a sum of £27.18 in petty cash, amounted to £10,879.31, with no cheques outstanding not yet presented. This included £3,723 as the balance remaining from previous CIL Funding, and a ring-fenced amount of £1,925 for as yet unplanned capital expenditure on the Play Park to replace the old trampoline that had been removed and for which a refund had been received from Image Playgrounds. The contractual agreements with Sponsors relating to the development of the Play Park required that this sum could only be used for the purchase of alternative equipment/facilities for the park, and should not be made available for operating expenses.
- 2) The major outgoings during the preceding two months included £422.40 (including VAT) for grass-cutting, £120 (including VAT) for the hire of the Portaloo on Tour de Yorkshire day and £40 for the ICO Registration Fee. No income had been received since the previous meeting, and no further income was anticipated during the remainder of the financial year (the next VAT refund claim will not be submitted until after the end of the year as the amount involved by then would still be below the minimum claim threshold of £100). Operating costs for the remaining four months of the year were estimated to be approximately £1,100, which would therefore indicate an estimated "working" balance (or reserve) of approximately £4,100 (ie excluding the CIL and ring-fenced Play Park amounts – see 10.1 above) going into the 2019/20 financial year.
- 3) A fee of £64 had been paid for an interim "mid-term" internal audit inspection, from which the subsequent report was entirely satisfactory. It had been agreed with the auditor that, since he was satisfied with the new controls and procedures now in place, future internal audits would only be required annually, to be carried out after the end of the financial year with a report available for adoption at the Council AGM in May.
- 4) Members had previously been circulated with the Clerk's recommendations for the Precept for 2019/2020, along with various background papers and budget calculations. The Clerk's earlier comments regarding the possibility of a shortfall of up to £200 in relation to electoral expenses were noted, as was his observation that no direct provision had been included for possible maintenance/servicing expenses for the Play Park. Council's view was that the costs of any non-budgeted expenditure in the Play Park would need to be covered by new fund-raising initiatives.

The recommended annual Precept of £7,200 was formally proposed by Coun. Poulter and seconded by Coun. Moore, and the proposal was approved nem con. Although this represented a 20% increase over the Precept for 2018/19, it was estimated that this would entail an increase in the average Council Tax bill for a Band C property in the Parish of no more than £3-4 per month (depending on the number of new properties in Morton that would be paying Council Tax for the first time), and, whilst any increase above the rate of inflation was to be regretted, this was an unavoidable consequence of the devolution of new responsibilities from County to District and ultimately to Parish which was a feature of central Government policy.

11. Meeting with Dales School regarding Status of Parking Bays in front of Village Hall

The Clerk reported that he had attended a meeting held at the Dales School, along with representatives of NYCC and HDC, to discuss possible changes in the status of the two parking bays in front of the Village Hall. A number of options had been discussed including changing the status of the bays for use as Loading/Unloading bays only, or restricting the length of time and/or the scheduled time periods during which the bays could be used for normal parking. The issue had been raised by the Dales School because of safety concerns which they had in relation to the partial obstruction of the view of approaching traffic from the west for drivers of vehicles exiting the school car park when vehicles were parked in these two bays. The NYCC Highways department had indicated that any change in the status of these bays would require a potentially costly and time-consuming consultation process, and that they would be reluctant to initiate this unless there was some prospect that the eventual conclusions were likely to meet Parish Council agreement. The Clerk had therefore been asked at that meeting to consult with the Village Hall Trustees regarding these various options and to report back accordingly.

It was understood, from the Chair of the Village Hall Trustees, that the various options that had been suggested at the meeting had been discussed by the Trustees, and that none of these was considered acceptable to them. It was commented that the vehicles which occupied the bays at the most critical times when the majority of vehicles were entering and exiting the car park (ie start and end of the school day) were almost invariably cars which appeared to belong to staff from the school and that it would therefore be unreasonable for Highways to be asked to make any change to the status of the parking bays which disadvantaged the users of the Village Hall because of "inconsiderate" parking behaviour by drivers who were not themselves using the Village Hall. Having discussed the matter, the Parish Council fully endorsed this position and instructed the Clerk to write to the Highways Department to indicate that it would not be willing to support any proposals for a change in the status of the two parking bays that reduced their accessibility by users of the Hall. It was noted that, in the period since the meeting at the school, following which it was understood that the headteacher of the school had apparently drawn attention of school staff to this problem, observations by members of the Village Hall committee and the Parish Council suggested that the incidence of "inappropriate" parking in front of the Village Hall appeared to have reduced significantly.

12. Attendance by Councillors at other meetings

There had been no other meetings taking place which have been attended by Council members during the preceding two months.

13. Play Park RoSPA Inspection

The annual RoSPA inspection, which had previously been delayed due to adverse weather conditions, was eventually carried out at the beginning of October. A comprehensive report had been received, which indicated that, although improvements had been noted since the previous inspection, there were still a number of defects that required attention. A copy of this report had been sent to Image Playgrounds, but no response had yet been received. Concern was expressed that Council's understanding of Image's financial status was such that there was concern that the company might be unable to deliver the resources needed to rectify the faults. It was agreed that, in the continued absence of any response from Image regarding their Warranty obligations, Council should send representatives to their office to confront them directly regarding this issue, including, in particular, concerns regarding the condition of the mulch path.

14. Correspondence

There had been no correspondence of note during the preceding two months other than as dealt with under other agenda items.

15. AOB

There was no other competent business.

16. A resolution to exclude the press and public for the remainder of the Council meeting agenda was approved.

17. Vacancy on Council resulting from resignation of Coun. Gouldthorp

Cllr. Philips was invited to remain for the final agenda item, to provide appropriate advice and guidance on the procedural issues involved.

The options to fill a "casual" vacancy on Council as the result of the mid-term resignation of a Member are at the discretion of Council. Since the next regular election is less than six months away, Council has been advised that it has the additional option to co-opt a Parishioner to fill the vacancy until the end of the normal term, and thus avoid the costs of a formal election. Although expressions of interest had been received within the past few days, following publication of a Notice advising the vacancy, from four Parishioners, Members considered that it would be potentially divisive and prejudicial to co-opt any one of these "candidates" so close to the date of the next formal election, and that it would be preferable to leave it to the electorate in May 2019 to decide which Parishioners should represent the Parish for the next four years. Members understood that, under these circumstances, it was imperative to remain quorate for the balance of the term, including attendance at the two scheduled remaining Council meetings on January 30th and March 27th 2019. The decision was therefore made to leave the vacancy outstanding pending the formal election in May 2019.

18. Date of next meeting

Wednesday 30th January 2019, commencing at 7.30pm
The meeting closed at 21.00pm