

**STILLINGFLEET PARISH COUNCIL
MINUTES OF AN ORDINARY MEETING HELD REMOTELY ON
THURSDAY 1 APRIL 2021**

21001 Welcome and Apologies:

The Chair welcomed all those attending the meeting remotely as follows:

Councillors: Paul Elmhirst, John Cook, Lesley Collingridge, James Atkinson, Richard Daniel, David Swinglehurst, Juan Brooks

Clerk: Ruth Swales

Local Councillors: Cllr Neil Reader. Cllr Richard Musgrave,

Parishioners: Ross Powell, Carol Lee, Annette Strickland, Jonathan Foy, Sally Lewis, Emma powell, Joanne Wordsworth, Nicola Raper.

There were no apologies.

21002 Declarations of Interests:

21002.1 Cllr Swinglehurst declared an interest in agenda item 21010 re the Bye Law Field.

21002.2 Cllr Atkinson declared an interest in the agenda item 21005.4 re the potential purchase of land for a Play Area.

21003 Public participation:

21003.1 Council noted Ross Powell's suggestions that the Council considers:

- creating a new dedicated bank account for a playground fund into which received CIL funds be credited.

- allocating any future CIL (and S106) funds from the Fearndale development to the playground fund.

Cllr Elmhirst advised that these suggestions would be considered under agenda item 21009.4 iv. which relates to the Council's CIL reserves.

21003.2 Carol Lee, Annette Strickland, Emma Powell, Nicola Raper, Sally Lewis, and Joanne Wordsworth all indicated that they had written to Cllr Elmhirst to express their desire for the Council to strongly pursue all opportunities for the development of a children's playground. Cllr Elmhirst thanked them for their opinions and indicated this topic was to be considered in detail under agenda item 21005.4.

21003.3 Sally Lewis advised that she had tendered her resignation as councillor and wished to strongly encourage the Council to look to address the gender balance and age profile of the Council in considering her replacement.

21004 Minutes from last meeting:

Council **RESOLVED** to approve the minutes of the Parish Council meeting held on 4 February 2021. The Chairman will initial and sign as a true record.

21005 Matters Arising from the last meeting:

To receive information on the following ongoing issues and decide further action where necessary:

21005.1 Consultation by Selby District Council on its new Local Plan:

Council noted that the Parish Council has submitted and published its observations, comments and preferences as part of the consultation process into the preferred options under the new Local Plan. The Council's submission

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can be viewed at:

<https://www.stillingfleetparishcouncil.org/parish-councils-response-to-the-preferred-options-under-the-local-plan/>

Cllr Musgrave advised that there had been a very strong response to this round of consultation and that all representations will be considered alongside further evidence base work in preparing the next round of consultation will be in 2022.

21005.2 **Local Government reorganisation:** Cllr Musgrave advised that the consultation period regarding the proposed local government reorganisation runs until 19 April and urged all those who not yet contributed to submit their views as the reorganisation will have huge implications for the area. These proposals can be viewed at: <https://www.get-change-right.com/>

21005.3 **Village Green:**

- i Council noted that an ex-gratia payment of £500 had been offered to Nigel Kemp (NK) (towards the costs of the repairs to drains serving the 6 households shared with Banbury House) subject to each impacted household signing an indemnity to confirm that they have no outstanding claims against the Parish Council for drainage works on the Green carried out by Hagrapat or commissioned by NK. To date that indemnity has not been completed. Council **RESOLVED** that if it had not received full acceptance of the indemnity by the next PC meeting (27 May 2021) the offer will be withdrawn.
- ii Council noted that the drainage and right of way easements in relation to the Fearndale development have still not been completed but the solicitor acting on behalf of the Council has advised the matter is on short diary. Cllr Swinglehurst enquired whether the developers of the Fearndale plot are under an obligation to replace the verge and hedging which has been removed to enable greater access to the site. Cllr Elmhurst will look into the conditions attached to this planning application and revert to Council.
- iii. Council noted that there had been no response from Fallon re its request that a quotation be submitted for weed wiping the banks of the beck. Cllr Swinglehurst said he would be speaking to Fallon and would remind him.
- iv. Council noted that a claim for reimbursement for damage repairs to the Green has been sent to Nixon Hire who have passed the claim onto their agents for attention.

21005.4 **Play Area:** (Cllr Atkinson took no part in considering this agenda item due to his declared interest).

- i. Council noted the **granting** of planning permission re the proposed erection of a detached two storey dwelling and detached single storey garage on land east of Croft Cottages, York Road, Stillingfleet –(ref 2019/1064/FUL) (recognising that this plot behind the Village Institute had been identified as a potential site for the Play Area).
- ii. Council noted that the owner of this plot is expected to market the land for sale with offers in the region of £100,000.
- iii. Council noted the circulation of a presentation Play Stillingfleet had delivered to a meeting of the Play Area Committee on 19 March. This presentation set out the possible acquisition of the plot as a site for the play area suggesting funding possibilities through either the National Lottery or by application to the Public Works Loan Board for a loan of £90,000 over a

50 year term accruing interest at 2% leading to a total debt repayment figure of c.£140,000.

- iv. Council recognised the strength of demand for a play area and confirmed it's commitment to developing one in the village. It debated at length whether the proposed plot was the most suitable site and it's appetite for taking on such a large financial commitment. Each councillor was asked to outline their opinions and after due consideration all councillors agreed they had no appetite for purchasing the proposed plot.
- v. It was proposed and seconded that Council's preferred location for the play area should be the south west corner of the Green (a site within the conservation area which has already been excluded from the Stewardship scheme so it can be maintained as area for children's play). With 5 votes in favour and 1 against Council **RESOLVED** to work with Play Stillingfleet to draw up detailed plans and costings for such a play area for the approval of full Council.

21005.4 **The future management of The Green:**

- i. Council **RESOLVED** to reconfigure a Village Green and Environment Committee and develop its terms of reference which will include all planning matters and all future management issues impacting the Green and take into account environmental and climate change obligations and initiatives. That expanded Committee will comprise:
Cllr Elmfirst, Chairman, Lead on Conservation & Play Committee
Cllr Cook, Vice Chair, Lead on Climate Change & Play Committee
Cllrs Atkinson and Collingridge re planning matters,
Cllrs Daniel and Swinglehurst re Green management matters.
Terms of reference will be drafted for consideration at the next meeting.
- ii. Council noted that the Rural Payments Agency has advised that Council can expect to receive a form to claim under the 2021 Environmental Stewardship Scheme although to date that claim form has not yet been received.
- iii. Council agreed to publish an invitation to tender for hay-making on the Green in 2021 and to apply for a derogation from Natural England to allow the early cut after 1 July.

21005.5 **Sewage system proposal:**

Council noted that there has been no further update from Yorkshire Water regarding its on-going assessment of the current sewerage arrangements and their consideration of whether they have a duty to provide a public sewer. Clerk to seek an update in time for the annual meeting of the Parish towards the end of May.

21005.6 **BT Telephone Box:**

- Cllr Collingridge advised that a local builder had offered to address the subsidence of the BT phone box charging only for any materials and that volunteers had come forward to help with its refurbishment as a community library.
- Cllr Elmfirst agreed to re-consider the proposed contract for adoption that has been provided by BT and provided there are no other matters of concern Council **RESOLVED** to progress the adoption.

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21005.7 **Problem of dog fouling:**

Council noted that Selby DC had asked for a map indicating where the Council would wish to position an additional dog waste bin on Stewart Lane so that they can confirm they will attend to its emptying. Cllr Atkinson offered to provide the map.

21006 **Annual Risk assessment:**

Council requested that Cllrs Elmhirst and Daniel undertake the 2021 annual risk assessment and report back to Council at the May annual meeting.

21007 **Planning Matters:**

21007.1 **Stillingfleet Mine Site**

- Council noted that the planning application (ref: NY/2016/0251/FUL) re the proposed change of use of part of the former coal mine site has been **refused** but that an appeal is thought to be likely. Council agreed that should an appeal be forthcoming consideration would be given to investigating the appointment of a planning consultant to defend the planning decision.
- Council agreed to take up the offer from Kelfield Parish Council (and potentially Escrick PC) to discuss alternative uses of the mine site.

21007.2 **Consultation re expansion of Leeds East Airport:**

- Council noted that the consultation period is underway by Leeds East Airport (LEA) on proposals to introduce instrument approach procedures (IAPs) to two of its runways in order to support the development of the airport into a Business and Executive Aviation hub for North Yorkshire. (The consultation document, which describes the proposed change and how to respond, is available at <https://www.leedseastairport.co.uk/>)
- Cllr Brooks and Swinglehurst agreed to draft and submit the Council's objections to these proposals on the grounds of increased noise and pollution due to the proposed trebling of aircraft movements and size of aircraft using an air corridor above the village.

21007.3 Council noted the following **planning decisions:**

- The **withdrawal** of the application to construct a 1.5 storey extension to the rear of 1 Croft Cottages, York Road – ref 2020/1309/HPA
- The **granting** of a Section 73 application which varies a condition in the plans, and the discharge of conditions relating to materials, drainage, contamination, temporary drainage plan & the design details contained in the approval of the erection of two detached dwellings on the Fearndale plot granted on 30.04.2020.- ref: 2020/0885/S73.
- The **refusal** of planning permission re the proposed conversion of an existing agricultural building for use as a single dwelling house at Haverland Farm, Stewart Lane – ref: 2018/1036/FUL.

21007.4 Council noted receipt of the following **planning applications:** (full details of each can be found on the Selby DC planning public access site under each reference no.)

- An application re the demolition of the existing rear extensions, the formation of a new two storey and single storey rear extension, the creation of a new first floor with dormer windows, the creation of new vehicular access and the removal of paint from the brickwork at 1 School House Bungalow, Church Hill – ref 2021/0105/HPA. Council’s observations have been submitted.
- The submission of amended plans re the listed building consent and planning application for the conversion and extension of the former garage at Moreby Hall – ref: 2020/0427/FUL & 2020/0428/LBC.
- An application to crown reduction and shape by 25% 3 Silver Birch trees, 1 Hornbeam tree and cut back a lower overhanging limb of 1 Ash tree at Kenilworth House, The Green YO19 6SF – ref: 2021/0141/TCA.
- Amended plans re the proposed demolition of the existing bungalow and commercial garage and the erection of a replacement dwelling and 2 detached houses with garages at the Bungalow, Stillingfleet Service Station, York Road – ref: 2020/0340/FUL. Council’s observations have been submitted.
- An application for the change of use of land to a caravan park and associated operational development at Old Pasture Park, York Road – ref: 2021/0088/COU. Council’s observations have been submitted.

21008 **Matters raised by Councillors:**

- Council noted that Cllr Lewis has tendered her resignation as councillor as she is intending moving out of the village. Council expressed its thanks to Sally for her services over the previous 4 years.
- Council also noted that Cllr Harrison has tendered his resignation as councillor due to ill health. Council expressed its thanks to Terry for his services as parish councillor for over 40 years.
- Council discussed plans for co-opting two replacements if there was no application for an election, noting the earlier suggestions referring to gender and age balance of future councils. Notice of vacancies will be published.

21009 **Financial Matters:**

21009.1 Council noted recent receipts and closing balances as follows:

Recent receipts:

HMRC VAT refund for period 1/3/20 to 28/2/21	£670.64
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Closing balances as at 28 February 2021:

Parish Council current account	£10,328.06
Parish Council NS& I account	£ 5,119.97

21009.2 Cllrs Daniel and Brooks were asked to undertake the:

- Bank reconciliations as at 31 March 2021
- Year-end internal control check ahead of the 2020/21 year end internal audit.

21009.3 Council **RESOLVED** to make the following **payments:**

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CPRE Subscription	£36.00
Acorn Lighting Services	£92.40
Ruth Swales - Expenses	£75.71
Solutions for payroll	£12.05
HMRC re Clerk's tax (Jan/Feb)	£51.20
YLCA – annual subscription	£138.00
YLCA – re training	£15.00
Council noted payment of Clerk's salary for January & February	

21009.4 Year-end procedures:

Council considered and approved the following:

i. 2020/21 year-end budget comparison noting that:

- total income was £8,837 (7.7% above budget due to early receipt of 2020/21 VAT refund)
- total expenditure was £7,278 (13% below budget)
- giving a £1,559 surplus to add to reserves.

ii. Breakdown of expenditure greater than £100 for the year ending 31 March 2021

iii. Financial risk assessment as at 31 March 2021.

iv. Asset Register as at 31 March 2021.

21009.5 CIL Reserves:

- Council considered and approved the annual CIL report for the year ending 31 March 2021 noting that the Council's CIL reserves of £2,967 need to be used by April 2024 or they will have to be returned to Selby DC.
- In considering the suggestion raised under public participation Council noted that the CIL reserves are already held in a separate NS&I investment account and that Council has already resolved to allocate the current CIL funds for the playground. Council agreed that it will consider how any future CIL (or S106) funds are applied upon receipt.

21009.6 Internal Audit 2020/21 year-end:

- Council noted receipt of the 2020/21 instructions under the Annual Internal Audit Reporting requirements (AGAR) and **RESOLVED** to complete all necessary procedures for Council's approval at the annual meeting of the Council on 27 May.
- In accordance with those AGAR procedures Council **RESOLVED** to certify an exemption from submission of the AGAR to the external auditor.

21010 ByeLaw Field:

Council noted that agreement has been reached to enter into a new Business Farm Tenancy Agreement with Cllr Swinglehurst which will be backdated to 1 October 2020. Cllr Swinglehurst will be invoiced accordingly.

21011 Dates of future Meetings:

Council noted the date of the annual parish council meeting as Thursday 27 May 2021 at 7.00pm. As emergency legislation permitting remote council meetings will not be extended beyond 7 May the annual parish meeting will be held face to face in the Village Institute. The meeting will be preceded by the annual meeting of the Parish commencing at 6.30pm.

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Signed as an accurate record of the meeting held on 1 April 2021	PAUL ELMHIRST	27 May 2021
	CHAIRMAN	

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