

NEWTON KYME CUM TOULSTON PARISH COUNCIL

DRAFT Minutes of the Ordinary Parish Council Meeting held on Monday 22 February 2021 at 19:00 hrs

In accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Meetings and Police and Crime Panels) Regulations 2020 this meeting was held remotely

Present: Councillors A Jennings, D Johnson, R Hall, W Hibbs, J Watson, E Wilson, R Cornforth

Clerk: Vivienne Skinner

One member of the public was present

The Church Warden to St Andrews Church asked to address the council on Agenda item 08/21

The Church Warden explained her role and that of the Parochial Church Council (PCC). The Church Warden has responsibility for the fabric of the building and the functioning of the church. The PCC was the protecting body around the church.

The payments contributed by the parish council to the church over the years have varied from £300 to £1,500 and have contributed about 15% to the running costs of the church. The contributions have helped the church to keep running.

The Church Warden stated that if the parish council no longer made payments to the church that would not lead to the church closing. The parish council should not feel responsible for the success and survival of the church.

People do like having a church; events are held and in a good year the church can manage and support itself.

The point of speaking tonight on behalf of the PCC was that the church does not wish to be seen as divisive. The parish council will discuss and vote on whether to make a payment to the church, the PCC understands the situation.

The church will continue to hold events; it will charge groups for using the church – including the parish council for council meetings (use has been free of charge for some time).

05/21 **Apologies**

1. To receive apologies for absence given in advance of the meeting

2. To consider the approval of reasons given for absence

No apologies received.

06/21 **Declarations of Interest**

To receive and record any declarations of interest

No declarations received.

07/21 **Minutes of Last Meetings**

To approve the minutes of (a) the Ordinary Parish Council meeting of 14 December 2020 and (b) the Extraordinary meeting of 18 January 2021

Resolved: That the minutes be accepted as a true record of the meetings.

08/21 **To consider a Section 137 payment to St Andrews Church towards the upkeep of the Church, (a) taking into account the advice received from the National Association of Local Councils (NALC) and the Yorkshire Local Councils Association (YLCA).**

Cllr. Hall read out 7 points he wished to make in support of making a payment to the church. He asked for his points to be included in the minutes.

- 1) This is something that has been done for years widely supported by many varied PC members, widespread village support with not a single objection.
- 2) The prospect of anyone challenging or disagreeing with this support is minimal especially in this Covid year when income to maintain the building has been minimal.
- 3) The sum is included in our budget and linked to per capita population.
- 4) It would mean we contribute around 10% to the cost of keeping open the only communal building in the village (in which we hold PC meetings).
- 5) There is not a single piece of case law saying we cannot do this, just a view based on an untested case

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scenario and opinion.

- 6) If anyone did object it is unclear what process they would have to follow, would mean substantial expenditure of time and cost to do so and with the prospect of success so small who would bother and why would they want to damage the village infrastructure
- 7) Whilst procedurally correct to have posed the question if we withhold support it is a needless unintended consequence of a theoretical scenario but one which however has a real practical impact and harms the village.

The Clerk stated that this issue has been debated for over 18 months and that advice from NALC and the YLCA (circulated to all councillors) was that councils do not have the statutory power to make payments to the church for maintenance and upkeep. The advice also states that in the absence of any case law, if the council decided to make a payment, they would need to risk assess its decision against the uncertainty of legal validity.

Cllr. Hibbs raised the issue of the use of the church as a village amenity and was of the view that a payment could be supported by S137 legislation. Separately the council should also make a rental payment for the use of the church for meetings. The council wishes to continue using the church for meetings and do not wish to look at options outside of the village. The Clerk will confirm the position of the council with regards to the payment of rent to the church.

The Clerk outlined the voting process in line with the council standing orders.

The Chair thanked everyone for their contributions to the discussion and called for a vote by a show of hands.

- Those in favour of making a S137 payment to St Andrews Church towards the upkeep of the church – Two votes
- Those not in favour of making a S137 payment towards the upkeep of the church – Five votes

Resolved: A majority vote not to make a S137 payment to St Andrews Church towards the upkeep of the church.

09/21 **To review the monthly figures and spending to date (previously circulated) in line with the agreed Annual Budget and 3 year Business Plan**

Resolved: Monthly figures notes.

10/21 **To consider the arrangements for (a) the annual review of the system of internal audit and (b) the appointment of the Internal Auditor for 2020/2021**

Cllrs Hall and Wilson are continuing with the annual review and will report to the Annual Parish Council meeting. Following the unexpected retirement of the former Internal Auditor it has been necessary to appoint a new Internal Auditor. Richard Dorsey, who acts as Internal Auditor for other Parish Councils was approached to submit his CV and quote for his services. His price is competitive and the same as the previous Auditor. He lives locally and is within a safe travel distance if any physical documents are required for inspection.

Resolved: That Richard Dorsey be appointed as the Parish Council's Internal Auditor for 2020/2021

11/21 **To review the planning application – 2021/0047/HPA – Proposed extension and alterations to existing house - Ings Cottage, Main Street, Newton Kyme, and agree a response**

Resolved: The council has no objections. The clerk will submit a response on behalf of the parish council to Selby DC Planning.

12/21 **To consider the provision of (a) a litter bin near to the church field gate on Croft Lane; (b) a litter bin along the approach to the viaduct bridge.**

Abandoned bags of dog waste continue to be a growing problem along the Ebor Way path near the church and the Sustrans route to the viaduct bridge.

Cllr. Hall will report back on a suitable location for a waste bin near to the church field gate, a bin will be organised through Selby DC.

Cllrs Wilson and Johnson will look at the potential placement of a bin along the viaduct path and will discuss with Betts Management. The Clerk will check again with Selby DC on points of access along the path to enable the bin to be emptied.

Resolved: The provision of bins approved subject to discussions with Selby DC. For the viaduct path there will

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also need to be discussions with Betts Management.

- 13/21 **To consider the North Yorkshire County Council (NYCC) notification to delay the replacement signage for the Ebor Way footpath and consider a response.**

NYCC have not indicated how long the work will be delayed. NYCC to be asked whether the posts could be provided to the council who would then arrange for them to be erected.

Resolved: Clerk to contact NYCC to discuss provision of posts to the council to arrange placement.

- 14/21 **Community Infrastructure Levy (CIL) - (a) to receive an update on the list of local priorities for the spending of the CIL funds and (b) consider any additions to the list.**

The council is continuing to progress the two remaining proposals – the roadside seat and the VAS.

- 15/21 **To receive an update on the options to improve road safety on the A659 and to consider further action.**

a) use of VAS – Cllr Hibbs

b) other safety measures – Cllr Wilson

a) The installation of the VAS has been delayed by Selby DC. The Clerk will continue to liaise with Selby

b) Cllr. Wilson will continue to pursue options with Selby DC and with Betts Management. Will also contact Redrow, the developer to check their role in determining road signs.

- 16/21 **To receive an update on the condition of the ditch and pond on Croft Lane and consider action.**

Following recent heavy rain the ditch, culvert and pond alongside Croft Lane has flooded across the road. It would appear that the ditch, and culvert is blocked and needs to be cleaned out. Cllr. Cornforth has spoken to the landowner who is aware of the problem and has said it will be dealt with in due course.

- 17/21 **To approve payments and receipts in accordance with the budget**

(a) Payments approved since last full meeting 14 December 2020

Date	Payee	Electronic/chq	Detail	Amount £
31.12.20	Mrs V Skinner	EP00084	December Salary	135.70
18.01.21	HMRC	EP00085	PAYE 3 rd Quarter	99.00
21.01.21	AY Contractors	EP00086	Replacement gate	390.00
31.01.21	Mrs V Skinner	EP00087	January Salary	133.00

(b) Payments for approval 22 February 2021

Date	Payee	Electronic/chq	Detail	Amount £
28.02.21	Mrs V Skinner	EP	February Salary	132.80
31.03.21	Mrs V Skinner	EP	March Salary	tba
30.04.21	Mrs V Skinner	EP	April Salary	tba

* to be authorised in the month payment is due

To note receipts – NONE

Resolved: (a) All payments were approved (b) payment of February salary approved and future payments will be authorised in the month payment is due.

- 18/21 **Clerks verbal report**

- notice board in Main Street needs further repair, Cllr Hall is taking forward.

- 19/21 **To Note Correspondence Received – items of interest (list circulated)**

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Correspondence noted

20/21 To approve responses/action to items of correspondence

- Rough Sleeper return to Selby DC
- Selby DC consultation on Local Plan – noted
- Residents concerns with parking at Toulston View referred to Selby DC

21/21 To receive late items of Correspondence

- Request from Tadcaster Fire Service to promote community programme on fire safety – noted.

22/21 To Consider Minor Matters and Agenda Items for the Next Meeting

To bring to the attention of the Council or Clerk any minor matters of business and agenda items for the next meeting.

None noted

23/21 Dates of next meetings- Annual Parish Council meeting Monday 17 May 2021. Annual Parish meeting Monday 17 May 2021

Meeting closed at 20:05hrs

Chair.....

Date.....