

Whitley Parish Council

1. The meeting was opened at 7.00 pm by the Chair Cllr Walton.

2. Open Public Forum(OPF) 21st June 2022

2.1. Two members of the public were present. One in attendance to obtain an update on the progress of the Gale Common appeal the other to draw the Parish Council's attention to breaches of traffic conditions on Gravel Hill Lane. Traffic regulations require that HGV's and Coaches follow a strict one-way system. Access to the Mushroom Farm by lorries and buses is only west along Fulham Lane, then north through Booty Lane and onward onto Gravel Hill Lane. On no account are heavy goods vehicles permitted to travel directly up Gravel Hill Lane from the A19. Notwithstanding, these traffic restrictions lorries consistently, almost on a daily basis, drive in contravention of the one-way system. Complaints have been made to the senior officers at the Mushroom Farm to no avail. It is particularly, noticeable during the evenings as coachers ferry workers to and from the site. In addition, the roadside verges at the top of Gravel Hill Lane is covered with litter and waste.

Action: Clerk to communication with the Operations Manager of the Mushroom Farm to discuss the issue and arrange a meeting as appropriate to discuss options to resolve the problem.

2.2. The Chair closed the public forum and proceeded to the conduct of the Parish meeting.

Minutes of the Whitley Parish Council Meeting held on 21st June 2022 at Whitley & Eggborough Primary School Annex Building Ref – 02/23

3. **Present:** Cllr Walton (Chair) Cllr White (Vice Chair), Cllr Blackburn, Cllr Humphrey, Cllr Woodhead and Clerk to the Council J Hunter.

4. Apologies for absence:

4.1. Apologies for absence were received from Cllr Cole.

5. Disclosure of interest:

5.1. Cllr Cole and Cllr Blackburn are resident on Whitefield Lane and as such would be directly impacted by the HGV movements from the Gale Common site.

5.2. There were no other interests registered.

6. Minutes of the Whitley Parish Council Meeting held on 17th May 2022:

6.1. Cllr White suggested a minor amendment to the item referencing the community litter pick. Subject to such amendment it was resolved the minutes of the meeting were a true record of the meeting.

Action: The Clerk to deliver a copy of the amended minutes of the Council meeting held on 17th May 2022 for signature by the Chair.

7. Opening matters for information and action as required:

7.1. **Gale Common:** The Clerk summarised the latest position of the appeal to the High Court in connection the Gale Common. The most recent decision from Lord Justice Lewison was that a further appeal would be permitted but a protective cost order of £10,000 would be required. On this basis the Parish Council would not be in a financial position to proceed. However, in a conference meeting with the Clerk and Cllr Humphrey our barrister advised that further representations could be lodged with the High Court seeking reconsideration of the magnitude of the cost order. A witness statement from the Clerk as Responsible Financial Officer would be required that would make clear the financial resources of the Parish Council are such that a £10,000 order would be prohibitive and thereby unfairly exclude the council's access to justice. The only PCO that could be accommodated would be £5,000 and this would be conditional on sourcing contributions from donations to cover the amount in full.

Councillors discussed the remaining costs following the determination of the original appeal and the settlement of the protective cost order set for the judgement. It was recognised that there remains an outstanding issue to resolve being the contributions from those Parish Councils who partnered with Whitley in the pursuit of the initial case. Cridling Stubbs, Womersley and Heck were all parties to the Gale Common Action group and do hold some morale obligation to support Whitley in payment of the consequent PCO.

Action: Clerk to update all Parishes on the progress of the case including costs incurred to date and potential costs in the future.

7.2. **All Saints:** Clerk advised that Selby District Council confirmed that permission would be granted for a notice board to be located on their triangle of land at the junction of Whitefield Lane and A19. Councillors discussed options for the location of the notice board the triangle of land outside the pub.

It was resolved that the notice board be located in front of "The George and Dragon", this was carried by a majority.

Action: Cllr White to contact the nominated contractor to remove the notice board from the property of All Saints and relocate it on land in front of The George and Dragon".

Cllr White reported on the response from the Diocese of Leeds following his request on behalf of the Council for a refund of the donation of more than £6,000 made by Whitley Parish cover the cost of fencing fitted to the rear of the Church property. The Diocese do not consider the request to be a legitimate claim in the absence of any formal and documented agreement made at the time of the donation.

Action: Cllr White to respond to the latest communication from the Diocese of Leeds appealing their decision and providing copies of the Council Minutes detailing the undertakings of the Parish Council at the time.

7.3. **Land Off Larth Close:** Cllr White reported on his conversation with a member of the planning department regarding s106 monies that will attach to the development at Larth Close. Following the grant of planning permission for the build of 6 houses on land off Larth Close a sum of approximately £6,000 will be due payable by the developers under s106 provisions. Cllr White was able to confirm that Selby District Council would accept application for such monies to be made available for the benefit of Whitley residents in the provision of facilities or improvements to its open spaces, including its Park and Play Areas.

Councillors considered that the funds could be advantageously applied to the provision of drainage to Daffodil Park.

7.4. **Queens Jubilee:** Councillors commented on the success of the various events that occurred over the weekend of the Jubilee.

8. **Correspondence received:** The Clerk summarised the details of correspondence received by email or post.

8.1. Emails and postage.

8.1.1 An email from the Assistant Director of North Yorkshire County Council promoting details of online meetings that will provide further updates on the progress of the transition to the new unitary council for North Yorkshire. Cllr White expressed an interest in attending one of the sessions and questioned whether the Council had any questions that they felt should be addressed.

8.1.2 An email from a resident of Blackthorn Close about the erection of a fence on the perimeter of the property, a small section of which encroaches on open space land owned by Whitley Parish Council. The resident was seeking to establish whether the Parish has any objection to the construction.

It was agreed given the insignificant area of land in question Whitley Parish Council will raise no objection to the location of the fence and will not seek a refit and will support a revised planning application.

Action: Clerk to advise the resident of the Councils decision.

8.1.3 An email from the office of North Yorkshire Police, Fire & Crime Commissioner advising of a series of workshops to be hosted by Zoe Metcalf as the Commissioner on the theme of "Safeguarding is everybody's interest". Noted

8.1.4 An email from a resident expressing concerns about overgrown hedges obstructing the public footpath on the A19 just to the North of Silver Street. Councillors commented on how narrow the pavement was along this section of the highway. Although, since the email had been sent the hedges had been cut back, the pathway remains narrow and a problem for pedestrians. This is an issue that is beyond the ability of the Parish Council to resolve.

Action: Clerk to respond advising that the overgrown hedge has now be cut back.

8.2. Social Media

8.2.1 Cllr Humphrey commented on posts by North Yorkshire and Selby District Cllr J McCartney concerning the road improvements to Monaghan Mushrooms. The works include widening the junctions of the A19/Fulham Land/Booty Lane and the carriageway with 2 passing places. These plans have yet to be agreed with North Yorkshire County Council.

9. **Planning matters:** The Clerk provided a summary of the planning applications made in the month for review and consideration by the Council. There were no additional planning applications submitted during the previous month.

10. **Council Finance & Administration:**

10.1. **RFO Report as at 21/06/2022:**

Bank/Account	Income since 1st April 2022	Expenditure since 1st April 2022		Current Balance	Notes/Comment
Santander Deposit	2.97			15,216.09	Interest paid monthly
Santander Current Account (Cash Book)	7,517.00	1,991.80		19,354.77	No interest
Total Bank Balances				34,570.86	
Less following funds:					
Allocated Funds		Drainage Daffodil Park Crossing		8,700.00 5,000.00	
Total Allocated funds				13,700.00	
Parish Council Bank Funds		Legal Action and Complaints against the Council. Future Development and Facility Provision –Buildings. Future Development and Facility Provision – ROS. Future Development and Facility Provision -Nature Reserve. Unexpected/unforeseeable expenditure.		20,870.86	
VAT due for reclaim				14.17	
Total Unallocated Parish Funds				20,885.03	

The Clerk presented his report on the financial position of the Parish Council referring to income and expenditure statements providing details of receipts and payments for the period from 1st April 2021 to 21st June 2022. Income to date was £7,520 compared with expenditure of £6,942 generating a surplus of £578.

10.2. Accounts Payable: The following payments were approved for settlement by cheque.

Cheque No.	Payable to:	Amount: £
22511	John White – reimbursement of cost of Tree Stake	50.00
22510	Danvm Drainage	18.56
22512	J R Hunter – Clerk Salary quarter to June 2022	494.30
22513	HMRC – PAYE quarter to June 2022	123.60
22514	K Walton – reimbursement of gas for Jubilee Torch	50.00

10.3. Accounts Payable retrospectively: The following retrospective payments made by bank transfer since the last council meeting were approved.

Cheque No.	Payable to:	Amount: £

10.4. Bank Transfer:.

Transfer	Payable to:	Amount: £

10.5. Annual Governance and Accountability Return (AGAR) 2021/22:

10.5.1 Approval of Section 1 – Annual Governance Statement 2021/22. It is resolved that Whitley Parish Council approve section 1 Annual Governance Statement 2021/22 for Whitley Parish Council on page 5 of the Annual Governance and Accountability Return 2021/22. Carried unanimously.

Action: The Annual Governance Statement to be signed by the Chairman and the Clerk and a copy of the Section 1 of the Annual Governance Statement is published on the Whitley Parish Council website.

10.5.2 Approval of Section 2 – Accounting Statements 2021/22. It is resolved that Whitley Parish Council approve Section 2 – Accounting Statements 2021/22 for Whitley Parish Council on page 6 of the Annual Governance and Accountability Return 2021/22. Carried unanimously.

Action: The Accounting Statement 2021/22 to be signed by the Chairman and the Responsible Financial Officer with insertion of the minute reference and a copy published on the Whitley Parish Council website

10.5.3 It was noted that expenditure levels for the year 2021/22 were in excess of £25,000 and as such the accounts of the Parish Council a subject to a limited audit review by the duly appointed statutory auditors PKF.

Action: Clerk to submit accounts to PKF for external audit.

10.5.4 Approval of the publication of documents required by Accounts and Audit Regulations:

It is resolved that, in accordance with the Accounts and Audit Regulations 2015, the Local Audit (Smaller Authorities) Regulations 2015, SI 2020/404 The Accounts and Audit (Coronavirus Amendment) Regulations 2020 and the Transparency

Code for Smaller Authorities, Whitley Parish Council will publish the following documents on a public website.

- Section 1 – Annual Governance Statement 2021/22
- Section 2 – Accounting Statements 2021/22 page 6
- Analysis of variances
- Bank Reconciliation to 31 March 2022
- Notice of the period for the exercise of public rights and other information required by Regulation 15(2), Accounts and Audit Regulations 2015.

11. Recreational Open Space in Whitley:

11.1. Parks and Verges:

11.1.1 **Parks & Playground Maintenance:** Councillors considered various items in connection with maintenance within the park and playgrounds.

- The Clerk reported that the playground inspection by Wicksteed is scheduled for completion by 30th July 2022.
- Cllr White advised of several unsuccessful attempts to identify a suitable contractor offering services in the management of mole infestation along the verges.

Action: Enquiries to be pursued with George Fillingham, grass cutting contractor, or recommendations from the landlords of the George and Dragon.

- Cllr White observed that trees at the rear of Blackthorn Close need some attention as they are growing over the footpath.

Action: Enquires to be made to George Fillingham about management of the overgrowth of trees.

- Cllr White provided updated details of the revised quotation for the painting of the playground at Blackthorn Close from £720 to £740 and Lee View from £520 to £540 a total of £1,300. Councillors considered the overall position of the Whitley Parish financial reserves and agreed to proceed with the painting of the Blackthorn Close playground, the painting of the Lee View playground to be considered during 2023/24.

Action: Cllr White to instruct Brian Slater the painting contractor to undertake the painting of the playground on Blackthorn Close.

- Councillors considered the state of the Oak Tree adjacent to property on Blackthorn Close. The tree is situated on the tree line between Blackthorn Close and Lee View. The Clerk presented pictures of the tree and showing degree of its proximity to the property in question and any consequential damage that may be inflicted.

Action: Councillors to attend the site and review the state of the tree for consideration at the next meeting of the Council.

1.1.1 **Verge cutting:** The Clerk confirmed the quotation of the increase in the cost of verge cutting following additions to the schedule at £100. Cllr White shared observations received from members of the community concerning the verge cutting in the village. Comments were varied with some strong opinions expressed about the quality of the cut

and the state of the pathway after completion of the strimming and mowing with grass left on the roadside. Another resident suggested the provision of hanging baskets.

On balance Councillors considered that the extent and quality of the verge cutting has shown steady improvement. Monitoring of the verge maintenance will continue with appropriate liaison with the grass cutting contractor to ensure consistency and reliability.

Cllr White commented on the work undertaken in the management of the planters. In conjunction with Tunstall Healthcare and donations of collections of flowers grown and provided by members of the School for the Deaf in Doncaster the two sites by Daffodil Field and College Close have been fully planted up. To mark the success of the project members of School of the Deaf will attend an event to celebrate the completion with pictures being taken for publication in the media.

Councillors commended the efforts of all concerned in achieving such a satisfactory display. **Action:** A letter of thanks be sent to Tunstall Healthcare.

2. A19 Safety:

- 2.1. **Speeding on A19:** Cllr White had nothing to report commenting on a difficulty in downloading speeding data from the VAS sign that will be referred to customer service of the equipment suppliers. Cllr White reminded the council of his intention to attend a public meeting to be hosted by Zoe Metcalf in Chapel Haddleysey Community Hall on 23rd July.

3. A.O.B.

- Cllr White reported that he will continue communication with the Community Payback team with the object of clarifying when and if services will be reinstated.
- Cllr White questioned the extent of the repair work on the junction 34 roundabout on the M62 in particular how much longer this will continue before completion. **Action:** Clerk to make enquiries with Highways and Selby District and North Yorkshire County Cllr J McCartney.
- Councillors discussed the finalisation of the newsletter, printing of copies by Tunstall Healthcare and plans for distribution.

4. Confirm the date, time and place of next meeting:

- 4.1. **Next Parish Council Meeting:** Tuesday 19th July 2022 at 7pm at Whitley & Eggborough Primary School.

5. Closure of meeting: 8:55 pm