

Whitley Parish Council

1. The meeting was opened at 7.00 pm by the Chair Cllr Walton.
2. **Open Public Forum(OPF) 14th Sept 2021**
 - 2.1. There was one member of the public present who expressed gratitude for the resurfacing work to the road on Silver Street.
 - 2.2. The Chair closed the public forum.

Minutes of the Whitley Parish Council Meeting held on 14th Sept 2021 at Whitley & Eggborough Primary School Annex Building Ref – 05/22

3. **Present:** Cllr Walton, Cllr White, Cllr Blackburn, Cllr Cole, Cllr Humphrey Cllr Woodhead, and Clerk to the Council J Hunter.
4. **Apologies for absence:**
 - 4.1. All Councillors were present at the meeting.
5. **Disclosure of interest:**
 - 5.1. It was noted that Cllr Humphrey, Cllr T Woodhead, and Cllr S Cole are members of the Gale Common Action Group. A community group campaigning against the Gale Common Ash Extraction planning application.
 - 5.2. There were no other interests registered.
6. **Minutes of the Whitley Parish Council Meeting held on 27th July 2021:**
 - 6.1. The minutes of the Parish Meeting held on 27th July 2021 were, subject to some minor typographical adjustments, agreed as a true record and approved for signature.

Action: Clerk to deliver a copy of the amended minutes of the Council meetings held on 27th July 2021 for signature by the Chair.
7. **Opening matters for information and action as required:**
 - 7.1. **Gale Common Extraction Proposal:** Cllr Humphrey provided an update on the legal position of the application for Judicial Review, outlined in an email received from Irwin Mitchell. Following submission of the application to the court the plaintiff's North Yorkshire County Council and the EP UK as an interested party had until the 7th September 2021 to lodge a response setting out their arguments to the court. This deadline has passed without further comments and observations from these other parties. The next stage is for our legal team, solicitors, and QC to agree terms and actions to progress the matter.

Action: The email from Irwin Mitchell to be circulated to Whitley Parish Councillors for review.

Cllr Humphrey reported on the status of the crown funding campaign. The target set within the Just Giving page has been adjusted to £8,000 thus establishing a much more credible funding objective. It was noted that contributions received to date amount to a modest £750.

Eggborough Parish Council have also, confirmed that whilst remaining supportive of the campaign it is not their intention to make any financial contribution to the legal costs. Eggborough and Whitley Primary School have agreed to provide their support to the campaign in assisting in the promotion of the issues to parents and the wider public.

A financial action plan has been drafted to form the basis, as a document for discussion, that will serve to focus and galvanise the Gale Common Action group of Parish Councils in directing the crowdfunding process, the key elements of which are:

- A target contribution from Eggborough Parish Council - £2,000
- Collections from the Just Giving Page - £1,500
- Local online businesses offering their services through the Whitley Community Pages - £300
- Donations from Local Stakeholders being operating commercial businesses in the area - £1,500
- Local creative individuals offering support and taking the lead in generating funds - £500
- Parish Councils of the action group generating budget savings to contribute to the fund and organisation of events - £1,000

The Clerk outlined the possible timescales leading to the presentation to the Judge which, as the case has been designated as a fast-track matter, may be November 2021.

Action: Given the status of the crowdfunding the Clerk to advise legal counsel that all further action to be put on hold pending further instructions thereby limiting cost escalation.

The Council discussed the merits of re-engagement with Whitley residents in public meeting with the objective of presenting in public forum full details of the financial implications, probability of success, status of the crowdfunding and from where the legal costs will be sourced including drawing from council reserves.

Action: Public meeting to be arranged to be held late September early October promoted via social media and hard copy flyers.

- 7.2. **Whitley Community Group:** The Clerk reported on a conversation with the Chair of the Whitley Community Group who advised due to lack of support for the objective in the acquisition of the land and property of All Saints Church the Charity is to be wound up. All monies held by way of donation and grants will be refunded to contributors. The Leeds Diocese has been informed that the Group no longer have an interest in the Church.

Action: The Parish Council note the change in the circumstances of the Whitley Community Group and propose no further action will be undertaken by the Parish Council in connection with the future of All Saints Church.

- 7.3. **Whitley Underpass:** Cllr Humphrey reported on his meeting with Selby District and North Yorkshire County (SD&NYC) Cllr McCartney, a representative of Eggborough Parish Council and an officer of North Yorkshire County Council Highways department. The improvement work to the underpass will cover 5 elements:

1. Murals to be removed and the walls repainted
2. Pavement to be resurfaced end to end
3. Fencing to be repaired
4. Undergrowth to be cut back
5. Lighting to be upgraded

SD&NYC Cllr McCartney agreed to cover the cost of item 1) and 2) in the list; with the proviso that pavement resurfacing to be carried out in 2022/23.

North Yorkshire County Council Highways department will undertake and cover the cost of item 3), 4) and 5).

Quotes for the painting have been received from two local contractors Brian Slater at £2,400, and Keith and Mary Jones £1,500 for completion during Spring 2022 at a suitable time to limit inconvenience to public access.

Action: References as appropriate to be sought from contractors. Copy of Parish public liability certificate to be forwarded to NYCC Highways Department.

- 7.4. **Drainage Daffodil Park:** Cllr White referred to a quote for £8,000 previously presented to the Council from Sweeting Bros for the provision of drainage to Daffodil Park. He advised that in addition he has made a formal application to the Coal Authority to provide the necessary drainage or cover the cost of the work. To that end a member of the Coal Authority is scheduled on 28th Sept 2021 to attend the Park to inspect the area and assess the merits of the application.

Subject to the outcome of the inspection and Coal Authority recommendations **Cllr White proposed** that the Parish Council agree to set aside a sum of £8,000 drawn from devolved funds with the objective of contracting for the work to be completed at a suitable time during the forthcoming 12 months. Seconded Cllr Cole. Carried Unanimously.

- 7.5. **Christmas in Whitley 2021:** Cllr White referred to his email circulated to Parish Councillors about the availability of a pot grown Christmas Tree available from Crown Garden Centre at a cost of £55. The aim would be to plant the tree in the customary location outside the George and Dragon.

Cllr White **proposed** the purchase and planting of Christmas Tree at a price of £55. Seconded Cllr Humphrey. Carried Unanimously.

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 Selby District Council providing details of the additional development sites for inclusion in the Local Plan; there are no additions in the Whitley Parish. Noted

8.1.2. An email from Little Smeaton inviting Parish Councils to participate in an online virtual conference meeting to discuss working together to help shape the future of the local area and strengthen relations with Northallerton following the introduction of the North Yorkshire Unitary Authority. Cllr Walton responded to the email confirming that she would be keen to attend.

8.1.3. An email from the Police and Crime Commissioners Office seeking to engage with local communities inviting public to provide feedback in the setting of priorities and plans in the delivery of their service. An information leaflet has been provided to post onto the Parish Council notice boards.

8.1.4. An email from residents of the community requesting access to the dog sign stencil.
Action: copy of email to be sent to Cllr White for action.

8.1.5. An email from NYCC Highways department that junction 34 will be closed from 20th Sept to 24th Sept between the hours of 8:00 pm to 6.00 am for resurfacing work. Noted

8.1.6. An email from Selby Democratic Service attaching a copy of the press release from the Lord-Lieutenant publicising information about the Queens Green Canopy Initiative whose objective is to encourage people from across the United Kingdom to “Plant a Tree for the Jubilee”.

Action: Details of the publicity material and information to be forward to Cllr Humphrey for inclusion in the Parish social media.

8.1.7. An email from Matthew Brown Rural Housing Enabler Officer for Selby District investigating the need for affordable housing within the Parish. **Action:** Clerk to forward details of housing survey to Cllr Humphrey.

8.1.8. An email from Peter Rigal restating his interest in acquisition of the parcel of land at the junction of Silver Street and Gravel Hill Lane. **Action:** Clerk to respond with appreciation for his continued interest but polite declination of his offer.

8.1.9. An email from a resident advising of the forthcoming 80th birthday of their mother requesting her details be added to the over 80's recipients of the annual Christmas Parcel. Noted.

8.1.10. An email from Tunstall's offering services to the community with a plan to undertake some litter picking along the canal and other public services. **Action:** Cllr White to meet with Tunstall's to explore how and where such services can be deployed within the village.

8.2. Social Media

8.2.1. Complaints on Facebook concerning the growth of the hedge at the junction of Silver Street and Doncaster Road A19 along to Millfield. SD&NYC McCartney responded advising that the management of the hedge is the responsibility of the landowner and requested details of the landowner about whom the issue can be referred to 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.

9.1. 2021/0895/HPA – Kingfisher Rise, Doncaster Road, Demolition of existing conservatory and erection of new conservatory to side of property. Noted no comments.

9.2. 2021/0268/FUL – Land off Larth Close, Erection of 8 dwellings and garages. No further additional documents lodged in connection with the application apart from comments from Ecology on 1st August offering expression of no concerns and Environmental referring to potential issues of contamination of the site suggesting that appropriate studies need to be undertaken before permission is granted.

9.3. There were no planning applications granted for approval.

10. Council Finance & Administration:

10.1. RFO Report as at 14/09/2021:

Bank/Account	Income since 1st April 2021	Expenditure since 1st April 2021	Of which is devolved fund expenditure	Current Balance	Notes/Comment
Santander Deposit	2.31		Nil	55,210.33	Interest paid monthly
Santander Current Account (Cash Book)	13,631.33	5,003.42	1,890.00	9,988.07	No interest
Total Bank Balances				65,198.40	
Less following funds:					
Devolved Funds		3 x Play areas/ROS and the Tree Lines.		35,589.58	
Other protected funds		Crossing		5,000.00	
Total Protected funds				40,589.58	
Parish Council Unprotected 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.		24,608.82	
VAT due for reclaim				506.60	
Total Unprotected Funds				25,115.42	

The Clerk presented his report on the financial position of the Parish Council with reference to detailed income and expenditure statements providing details of receipts and payments for the period from 1st April 2021 to 21st Sept 2021. Total income in the year to date remains as previous at £9,806 compared with expenditure of £27,686 generating a deficit of £17,881. Included within the amount of expenditure is the provision for the legal costs incurred to date at £20,000; this incorporates the potential payment of the cost limitation if the Parish Council choose to withdraw from proceeding with the Gale Common Judicial Review.

It is worth noting that should the Parish choose to suspend the legal case and the £10,000 cost limitation applied, precept reserves would reduce to £5,145.

Total funds available to the council amount to £5,115 from cumulative precept monies and £35,589 from devolved funds.

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

Cheque No.	Payable to:	Amount: £
22479	Eggborough Village Hall	30.00

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: £
22478	Renato Bio – Hedge Cutting in Daffodil Park	280.00

10.4. The Clerk outlined the status of the devolved funds available to the Council, which are the residual balance of monies emerging from the Section 106 contributions arising from developments undertaken by Persimmons and Barrett Homes. The agreements were for a term of 10 years that have now fully expired, thus the devolved fund presents a liquid resource from which the Gale Common legal costs can be settled should the outcome of the case prove unsuccessful. The Council recognise that the devolved funds have been accumulated with the intention of investment in and maintenance of public spaces in the village and should sums be applied to legal matters in principle the depletion of these devolved resource could be replenished in the longer term from managed increases in precept over several years. The Clerk presented and the meeting discussed alternative models of precept increase and the consequent impact on Council Tax bills for residents.

11. Recreational Open Space in Whitley:

11.1. Parks and Verges:

11.1.1. Parks & Playground Maintenance: Councillors considered the various items in connection with maintenance within the park and playground as follows:

- Cllr White reported that the mole catcher has been engaged and will commence clearance in the Daffodil Field, following which other locations will be identified for treatment.
- Cllr White advised that he has received mixed comments, positive to negative, concerning the state of the Nature Reserve. As a minimum the undergrowth at the entrance needs cutting back. **Action:** Nature Reserve to be inspected and a request for cutting be made to the grass contractor.
- It was noted the repairs to the curb at the corner of Daffodil Field damaged following the HGV incident on Doncaster Road is scheduled for completion during October. A quote of £390 for the replacement of the fencing has been forwarded to the claimants' insurers.
- The purchase of dog bag dispensers to be located throughout the village was considered with the conclusion that such a deployment would not serve to encourage offending owners to clear their dog mess,

- Cllr White shared details of a concern expressed by a resident about the extent of rust on the swings in the Daffodil Park. **Action:** Swings to be examined to establish the nature and extent of the rust.

11.1.2. **Management of Trees in Daffodil Park:** Cllr White presented a quote from Renato Bio of £650 for the tree management in Daffodil Park.

Resolved: the contractor be engage to undertake the required tree maintenance. Carried unanimously.

The hedges at the perimeter of Daffodil Park are due for cutting, following the bird nesting season. **Action:** Cllr White to request a quote from Renato Bio for completion of the work.

11.1.3. **Verge cutting:** The quality and extent of verge cutting was discussed. **Action:** The Clerk to make enquires with adjacent Parishes to gain contact details of contractors who manage the verge cutting in their respective parishes with the objective of seeking alternative quotes.

12. A19 Safety:

12.1. **Vehicle Activated Signs Reports:** There is a problem downloading data from the speed sign. **Action:** Cllr White to refer the matter to the supplier.

12.2. **Pedestrian Crossing:** NYCC Highways department have advised there is some delay in the commencement of the installation of the crossing. Once matters have been resolved the work will be actioned.

13. A.O.B.

- Cllr Cole questioned the arrangements for Remembrance Day on the 14th November. It was agreed a ceremony should be organised with the laying of a wreath. Discussion of the event to be added to the agenda of the next Parish Council meeting.
- Cllr Blackburn noted building work currently being conducted on land on Gravel Hill Lane that appears to encroach on neighbouring property. It was concluded the matter was in connection with private land and therefore any dispute arising must be resolved between the owners.
- Cllr Blackburn commented on the extent of the overgrowth of the Ivy by the bus shelter on Church Row.
- It was noted that Selby District Council continue to report Cllr Humphrey as Chair of Whitley Parish on their website. **Action:** Clerk to advise Selby Democratic Services of the change in appointments.

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

14.1. **Next Parish Council Meeting:** Tuesday 19th October 2021 at 7pm at Whitley & Eggborough Primary School.

15. **Closure of meeting:** 9:23 pm