

Thornton Le Dale Parish Council

Clerk & Responsible Financial Officer – Emma Douglas-Smith

PO Box 92, PICKERING, YO18 9AT

email: parishclerk.thorntondale@outlook.com

Tel: 01751 477985

MINUTES OF THE MEETING OF THORNTON LE DALE PARISH COUNCIL

HELD AT 7.00 P.M. ON TUESDAY 1ST MARCH 2022

AT THE HILL MEMORIAL INSTITUTE, MALTONGATE, THORNTON LE DALE YO18 7LF

PRESENT :

Chair – Cllr Sandra Bell, Cllr Carolyn Flynn – Vice-Chair, Cllr John Garbutt, Cllr Martin Sanderson, Cllr Nancy Firth, Cllr Peter Argument,

Clerk & Responsible Financial Officer – Emma Douglas-Smith

Representative Councillor from RDC – Cllr William Oxley & NYCC – Cllr Janet Sanderson MOP: 1

1. APOLOGIES – To receive apologies and note reasons for absence :

It was **Resolved** to note all apologies and reasons for absence: **Cllr Henry Hallsworth**

2. To Note any Declarations of Interest:

2.1 To Note Declarations of Interests not already declared under members Code of Conduct or members register of Disclosable Pecuniary Interests **Resolved:** none declared

3. MINUTES

3.1 To accept the minutes of the Parish Council Meeting held Tuesday 1st February 2022 @ 7.00 pm

Resolved: Approved by Council and signed by Chair

3.2 Council to consider any updates on matters raised at the 1st February 2022 meeting, not included on this Agenda. **NONE**

4. FINANCE

4.1 To approve the **Financial Statement & Bank Reconciliation to end January 2022** - Spreadsheet

Resolved: Reviewed and approved by Council

4.2 To review and approve the **payments schedule for Invoices paid 1st March 2022 by BACS**

March 2022 Payments (February 2022 invoices) BACS	
Description of Payment	Amount
Payroll Costs, HMRC, Pensions & Expenses, payroll processing	£900.24
Blooming Gardens - Village Caretaking Feb22	£200.00
SLCC Annual Membership	£171.00
Smith's of Derby - Clocks Annual Service and repairs - Church	£216.00
Smith's of Derby - Clocks Annual Service and repairs - Hill Institute	£276.00
Total Payments	£1,763.24

Resolved: Approved by Council and signed off by Chair

4.3 Council to approve February overtime hours worked by Clerk = **5 hrs total** **Resolved:** Approved by Council for payment.

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5. PLANNING

Current & Historic Planning applications can be viewed by Councillors at

<http://planning.northyorkmoors.org.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx>

Ryedale DC – <https://planningregister.ryedale.gov.uk/caonline-applications>

Council to consider Planning consultation notifications and any relevant responses required:

- 5.1 NYM/2022/0053 – Garth End House, Roxby Rd – single storey extension (consult extension requested – red'd 3Feb2022) **Resolved:** No objections
- 5.2 NYM/2022/0093 – Construction of 420m Cycle Trail – North Rigg Farm, Sievedale, Dalby
Resolved: No objections
- 5.3 NYM/2021/0773/LB – Buck Inn – Listed Building Consent – painting of exterior areas
Resolved: No Objections
- 5.4 RDC 21 00988 – Erection of Agricultural Building for Pigs – Westfield Lane – Notice of Planning Approval – no action required from Council – for information only. **Resolved:** noted by Council
- 5.5 NYM/2022/0084 – Replacement of Footbridge – Village Car Park – NYMNP
Resolved: No objections
6. **To Receive Reports & Updates from NYCC & RDC, or Other Authorities**
- 6.1 NYCC Report from Cllr Janet Sanderson to TLD PC – Council to consider written report
Resolved: Taken as read by Council and noted
- 6.2 YLCA Advice Note 25 – Local Elections Process 5th May 2022 – Council to consider the information pertaining to 5th May 2022 local elections process and deadlines provided by YLCA.
Resolved: The Local Elections process and time-lines were discussed by Council. The possible dates for the Annual meetings in May were discussed. The Clerk handed out the printed Nomination Packs to Councillors. It was agreed that Councillors should actively try to publicise the Local Elections and encourage people to stand to benefit the village. Cllr Peter Argument to contact Hub Chair to see if they can put some information out to their members to encourage parishioners to stand. Clerk to send email.
- 6.3 YLCA – Government's White Paper of The Levelling Up of the UK – Feb2022 – Council to consider the content of the White Paper Feb2022 **Resolved:** Taken as read by Council and noted the devolution proposals for York and North Yorkshire.
- 6.4 NYMNP Notice of Parish Council Member Elections to the NYMNP Authority: Council to consider the content of the letter received outlining the process of the elections. **Resolved:** Council agreed that this could not be considered until after the Local Elections and that perhaps the timing on this from NYMNP was somewhat inappropriate due to Local Elections.
- 6.5 YLCA/ SLCC & NALC – Civility & Respect Project – Newsletter update for Council's consideration (note: the new Code of Conduct was reviewed and adopted by Council 6th April2021)
Resolved: Clerk updated Council that the information has been posted to the Web site. Council noted the content of the report.
- 6.6 NYCC Council Structural Changes update document – Progress on a new Council for North Yorkshire – Council to consider the content of the update **Resolved:** considered by Council and taken as read.
- 6.7 Notice of Meeting with North Yorks Police, Fire & Crime Commissioner 26th May 6.30 p.m. Zoom – Council to consider if they wish to submit any questions and have a representative attend for the PC **Resolved:** Council agreed to carry this item forward to April meeting.
- 6.8 NYCC – Notice of Adoption of Minerals & Waste Joint Plan – Council to consider contents of the notice and any implications **Resolved:** taken as read by Council

Notice is hereby given that members of the press and public may be excluded from the meeting for item 7.1 of this Agenda due to the nature of the business to be transacted and discussed being prejudicial to the public interest (potentially sensitive and personal) - Public Bodies (Admissions to Meetings) Act 1960

7. **Village Maintenance and the Village Environment:**

7.1 **Cemetery Management:**

a) **Complex Interment requests into existing graves – proof of ownership :** update to PC about NE 82 & 83 and CR 05 plots – request for ashes interments into existing graves - **discuss in Private session due to sensitive information being discussed and family names.** Council to consider Clerk's request to obtain some specialist short term consultancy support to deal with and conclude

current Proof of Ownership issues for the Cemetery. These are complex, time-consuming and require detailed specialist knowledge. They have been taking up most of the Clerk's working time.

b) PC to consider reviewing the Cemetery Rules to include more information regarding the Proof of Grave Ownership Process – responsibility is on the person / family to prove right to ownership, Stat Declaration process; also requests to put ashes into existing burial plots – max number allowed

Resolved: Council agreed that this item would be considered in a private session at the end of the Agenda items.

- 7.2 **Street Lighting:** Cllr John Garbutt raised the issue of the Northern Power works to take cables underground on Maltongate and Westgate: replacement of old Poles with street light fittings; Clerk has been chasing Nicholas Wilson at NYCC Street Lighting (most recently Jan22 & Feb2022) – costing email from Nick Wilson Oct21. Awaiting confirmation from NGP about the service transfer to new poles. **Resolved:** Clerk updated Council that there had still not been a response from NYCC Streetlighting despite much chasing. Cllr Janet Sanderson agreed to chase this again at a higher level to get a response for the PC. Council agreed that they needed to know if Northern PowerGrid would transfer the service to new poles. Item to remain on the agenda until resolved.

- 7.3 **Beck Wall Damage – NYMNP** – beck wall damage reported to NYMNP by Clerk. Council to consider email response from NYMNP. **Resolved:** Council noted the initial quick response by NYMNP to deal with the fallen tree, and that the repair issues of the wall were quite considerable. Awaiting further feedback from NYMNP as to what they will do about it.

8. **Employment Matters:**

Specific employment matters will be discussed in a private session as they relate to personal information of employee(s) - None

9. **Policies & Procedures:**

- 9.1 **Risk Assessments Review :** Council to review Risk Assessment document to update and add any new areas of potential Risk. Agreed at Feb meeting that Cllr Garbutt, Sanderson & Flynn will meet with Clerk to work through the Risk Assessments – meeting date and place to be agreed. **Resolved:** Noted that Clerk needs to set up a meeting with the Councillors, when work-load allows for that. Item is ongoing.

10. **To Note Correspondence Received and Approve action required:**

- 10.1 **Queen's Platinum Jubilee June 2022** – Cllr Carolyn Flynn and Cllr Peter Argument to provide updates to the PC on any discussions had with the Hub Group or other associations. Feedback from meeting arranged by Cllr Flynn on 15th Feb 2022 – meeting notes provided by CF. Requests for use of Village Green for band and stalls – CF/PA to confirm who. **Resolved:** Cllr Carolyn Flynn gave a verbal update to Council following the meeting held on 15th Feb. Notes of that meeting have been provided to Council Members. Discussion took place about how the PC could assist with some levels of Grant support to smaller individual groups. Agreed to offer small grants of up to £50 with a maximum cap of £1,500, Agreed that the current Grant form should be simplified to allow for these grants as a one off for the Jubilee celebrations.

Council approved the use of the Village Green for a Band which is being arranged by Cllr Peter Argument, and for other stalls. Approval also given for the Hub Group to have a cake stall on the Green. Cllr Argument to feedback to the Hub Group.

Cllr Peter Argument agreed to approach the Hub Group Chair to ask about them preparing a poster with general information about the Jubilee, including an outline events programme and the small grants availability. 

Cllr Carolyn Flynn confirmed the next Jubilee meeting was set for 22nd March 2022 at 6.30 p.m. at the Hill Institute.

- 10.2 **YLCA March2022 Training Programme** – Council to consider any training requirements and review YLCA courses being offered. **Resolved:** Councillors agreed not current training requirements

- 10.3 **NYMNP Dark Skies** – leaflets available from Mike Hawtin following his presentation – council to consider having leaflets and how to distribute **Resolved:** Council agreed some leaflets would be useful and Cllr John Garbutt agreed for those to be placed in Wardill's shop.
11. **Activities of Outside Bodies – Village Associations & Committees:**
To Receive Reports from those Councillors who attend Village Committees, & Meetings –
NONE SUBMITTED
12. **To Note matters for a future monthly meeting agenda** **NONE**
13. **Date of next PC Meeting:**
Tuesday 5th April 2022 at the Hill Memorial Institute, Maltongate, Thornton le Dale. 7 p.m.

Public meeting closed at 20.28 for item 7.1 to be discussed in a private session (no public or press attendance)

7.1 **Cemetery Management:**

a) Complex Interment requests into existing graves – proof of ownership : update to PC about NE 82 & 83 and CR 05 plots – request for ashes interments into existing graves - **discuss in Private session due to sensitive information being discussed and family names.** Council to consider Clerk's request to obtain some specialist short term consultancy support to deal with and conclude current Proof of Ownership issues for the Cemetery. These are complex, time-consuming and require detailed specialist knowledge. They have been taking up most of the Clerk's working time.
Resolved: The Chair and the Clerk provided Council with a verbal update on the complex proof of grave ownership issues the Clerk was currently endeavouring to deal with, and the complexities of the legal process which has to be followed, for which the Clerk has been receiving professional advice from the ICCM (Institute of Cemetery & Crematorium Management). Council discussed the issues, the legal requirements and the current process. Council agreed that it was for the family to prove ownership of a grave should they be requesting interments into existing graves. Clerk explained the process of the Statutory Declaration requirements. Council agreed that a Template Statutory Declaration document should be prepared so that this can be issued in these instances. The Chair read out the proposed content of a letter she had prepared to send to the family member of one of these current cases. Council agreed that the letter should be sent, with a template Statutory Declaration form for the family to complete and that the onus was on them to prove the family line of rightful ownership, which may not be the individual family member that the Clerk has been dealing with. Chair and Clerk to liaise in regard to finalising the letter and documents to send to the family members. Clerk mentioned there is one other current complex case which will require a similar response. Council agreed that this process should be adopted for all future Proof of Grave Ownership issues, and that the responsibility was on the person making the request to complete that process. Council agreed that the current fees of £75 for the Clerk's time involved in such matters should be charged and received before agreement to an interment would be given.

b) PC to consider reviewing the Cemetery Rules to include more information regarding the Proof of Grave Ownership Process – responsibility is on the person / family to prove right to ownership, Stat Declaration process; also requests to put ashes into existing burial plots – max number allowed
Resolved: Council agreed that the current Cemetery Rules should be amended and adopted to review the Exclusive Rights of Burial Section 6, to include a more detailed explanation of the Proof of Ownership process with a relevant Appendix detailing the process and including a template Statutory Declaration and to clarify the maximum number of Ashes caskets in a plot to remain at 4. Council agreed adoption of all changes subject to a final version being circulated to Council members. Chair and Clerk to liaise on finalising all documentation.

Meeting closed at 21.15

