

**Minutes of the Parish Council Meeting
Held At 7.00 P.M. On Tuesday 02 April 2024 at
The Hill Memorial Institute Maltongate, Thornton le Dale YO18 7SE**

Present:

Cllr Green (Vice Chair); Cllr Hallsworth, Cllr Garbutt; Cllr Hetherton; Cllr Balderson; Cllr Markham.
J Collins (Clerk)
Apologies: Cllr Barrett (Chair)

In attendance:

Members of public

The Vice Chair, Cllr Green opened the public session and summarised the rules of the meeting, and the public session, including the announcement of the video recording of the meeting, and that mobiles phones should be on silent. Cllr Green declared the meeting open.

Member of the public raised the question again about a Pet Cemetery /Crematorium being run at the premises (with a chimney) on Longlands Lane. Mop confirmed that there seemed to be no evidence of a planning application and felt that this was a change of use from agricultural use, therefore needed planning. **Parish Council agreed to investigate further. Initial investigation by the parish council concluded that it appeared that there had been a change of use, due to the new chimney.**

Since the meeting, a retrospective planning application has been received from the NYMNPA. Clerk to include in her report at the next meeting.

Member of public reported the white lines on Roxbury Road and the reason for this. Cllr Sanderson from North Yorkshire Council confirmed that the potholes are due to be filled. The drain still appears to be blocked. *Clerk has reported this to NY Highways; however, the response has been that they need more of a precise location or that the member of the public needs/can report the exact drain through the public access on the NY Council portal. Clerk attempting to register on the parish Portal since the last meeting, so that this can be reported officially with exact location.*

Formal Council Meeting Commencement 19:08 hrs

2425/001. To **receive** apologies for absence given in advance of the meeting,
& to consider the approval of reasons given for absence.
Councillor Barrett apologies received. Noted.

2425/002. To **Receive** declarations of interest in items on the agenda.
No declarations of interest. Noted.

2425/003. To **Confirm & Sign** Minutes of the EOM 19th March 2024
Cllr Garbutt proposed & Cllr Hetherton seconded. Minutes were signed. Noted

2425/004. To **Consider & Note** ongoing matters arising from previous meetings and council business

- a) To **receive** an update re Tree Policy: Mapping/Survey/Maintenance/Insurance
Cllr Green confirmed that 3 quotes were received for the tree by the Chocolate Factory. The middle quote appears to be the best value for money for the proposed work. No road closure needed, volunteers available & all debris to be cleared and removed from the site. Cllr Green confirmed that the next step will be to apply to the Parks for permission for the tree works.
Resolved Cllr Green to appoint tree person and apply for the required permissions. **Motion passed**, with it proposed by Cllr Hetherton and seconded by Cllr Garbutt. All Cllrs voted for the motion. **To be added to next agenda.**
- b) To **receive** update from Community Fund Raising Group re Clock Repair (TOR)
Cllr Green confirmed the Duck Race was well attended, good to see many of the villagers present and thanked the many businesses which supported the event, 800 tickets were sold. The fundraising totals will contribute towards the Clock repairs and left over monies will see the Manthorpe Park/Play area benefit. Cllr Hetherton gave an update on the Clock, a full faculty (permissions) will be required due to new parts needed to be installed and not just repaired. Cllr Hetherton to progress the paperwork. **To be added to next agenda.**

- c) To **receive** update on the Parish Council website/Email addresses.
Parish Council website under the gov.uk domain name is Live and has been updated with all previous meeting notes/Agendas & Minutes. All Councillors will be receiving new email addresses with the same gov.uk domain before mid-April, and the requirement will be for all councillors to use this email address to communicate on all council business. **To be added to next agenda.**
- d) To **Consider** and **Adopt** the new Parish Council Email/Comms policy.
The policy has been circulated to all councillors and included within the Clerks Meeting Notes, and a copy will be placed on the parish council website.
Resolved: Motion passed to adopt the new policy with immediate effect. Clerk to distribute all individual email addresses and appropriate passwords during w/c 8 April 2024.
- e) To **receive** update from Finance Committee on Tenders.
Grass contractors have been selected and appointed. Contracts have been signed, and placed in the pc files, along with the appropriate Public Liability certification. **To be removed from next agenda.**
- f) To **receive** update on Village/Parish Newsletter
Resolved: Cllr Garbutt provided an update whereby an article was written on behalf of the parish council and supplied to the Newsletter, focussing on a proposed Parish Plan. **To be removed from next agenda.**
- g) To **Consider** Dates for the Annual Parish meeting in May
Resolved: Date to be considered and advised by Councillors

2425/005. To **Consider** any new planning applications received, or previous Applications / Decisions.

New Applications

- a. NYM/2024/0149 – Lilac Cottage, 8 Thornton View, Thornton Le Dale
- b. NYM/2024/0153 – Three Gables, Maltongate, TLD
- c. NYM/2024/0186 – Overdale, South Lane, Thornton Le Dale

Update/Decisions

- | | |
|--|----------------------------------|
| a. NYM/2024/0095 – Land adjacent St. Hilda's Churchyard, Ellerburn | Registered |
| b. NYM/2023/0787 - Bridale Manor, Station Road, TLD | Approved with conditions. |
| c. NYM/2023/0874 - Pexton Moor Farm, Low Dalby, TLD | Approved with conditions. |
| d. NYM/2024/0028 - Three Gables, Maltongate, TLD | No objections |
| e. NYM/2024/0075 - Dovecote, Church Hill, TLD | No objections |

All **received and considered**, no comments received.

2425/006. To **Receive and Consider** matters raised by Parish Clerk/RFO:

- a) To **Receive** current bank balance -
Community Account: £16,963.67
Business Premium Account: £42,290.14.
Virgin Account: £11,901.85

All balances **received**.
- b) To **Note & Consider** bank mandate status & **consider** any actions required
Mandate received and circulated to Councillors and Clerk for completion. Cllr Green to chase the mandate with Barclays.
Motion passed to move £10,000.00 from the Community Account into the Business Premium Account, so as to attract a more favourable rate of interest. Cllr Garbutt to action this motion immediately.
Motion passed unanimously.
- c) To **Consider** Payment's for approval
Motion passed to approve all payments, all payments noted as detailed in the Clerks Notes. Cllr Green signed the approved payments in the meeting detailed in the Banking section of the Clerks Notes.
- d) To **consider** Payments In/Received
Resolved: Payments In noted of £1900.00 for burial costs, as detailed in the Clerks Notes.

- e) To **Note** any updates to challenge of AGAR 2022 / 2023
Resolved: Noted. No change from the last meeting. Parish Council awaiting further response from external auditor.

2425/007. To **Receive** new correspondence received by clerk and any action required. Please see the accompanying notes detailing the content of the correspondence.

- a) New bench request – update provided. Cllr Balderson to obtain further quotes.
- b) Virgin Media planned works – Cllr Garbutt provided an update, however no timescales available yet.
- c) Laptop purchase and Microsoft Office: Clerk confirmed the need to purchase MO365 at £59.99 for the new laptop.
- d) Mole Control: this is a persistent problem in the cemetery. KA has conducted a second visit; 7 moles have been caught to date.
- e) Parish Portal: Clerk advised that she is attempting to register on the portal. Still outstanding.
- f) Allotment Complaint: Dealt with and resolved. Clerk confirmed invoices due out early April.
- g) Audit for Fin Year 2023/24: timescales known, meetings in the diary. Clerk to oversee.
- h) Email received from a member of public. Clerk has responded with an offer to chase a reply.
- i) Signed (2 year) contracts received by the Clerk from the newly appointed grass cutters.
- j) New pc email addresses received, and to be circulated to all Councillors (except Cllr Hallsworth).
- k) New web host/designer to deliver on proposed changes to pc website. Clerk to forward examples to all councillors for feedback and comment. Clerk to liaise with Advantage Web Design. Design considerations to be passed to AWD by the end of April.
- l) Bull Field correspondence received/contract being signed. To cover in Closed Session.

2425/008. To **Receive** matters raised by members for inclusion on future agendas & outstanding matters for future agendas.

- **Resolved:** All those already highlighted & agreed in these Minutes. **To add** Parish Plan and Annual Parish Meeting to the next meeting agenda.

2425/009. To **Confirm** the dates of the future meeting(s) -

7 May 2024. 4 June 2024 2 July 2024 6 August 2024

Cllr Green **proposed** a motion to exclude Members of the Public to the Closed Session due to the nature of the business to be transacted.

Resolved: All councillors in favour, **motion passed.**

Meeting Closed at 19:45 hours.

CLOSED SESSION – THE PUBLIC/PRESS WILL BE ASKED TO LEAVE THE MEETING

2425/110.

- a) To resolve to exclude members of the press and public due to the nature of the business to be transacted at agenda item below, being prejudicial to the public interest. (Public Bodies (Admissions to Meetings Act 1960)

Resolved: All Councillors in favour. **Motion passed.**

- b) To **Note & Consider** Parish Contracts – Parish Upkeep & Maintenance

- 1. Bull Field – Contract/Agreement/Fees

Cllr Green provided an update, meeting has taken place with the successful bidder to agree any changes, ahead of contract signing and invoicing for the year. Cllr Green advised the new contract year will be 2 April 24 to 31 March 2025 (the Tender should always be seen as a sub-year due to the conditions of grazing rights).

Minor amendments to hard core a small area by the stream has been agreed to assist with livestock safety. Clerk to invoice under new contract for £855 during April 24.

Resolved: All councillors in favour. **Motion passed.**

2. Grass Cutting – Contract/Agreement/Tender

Both successful contractors have been met by several of the Councillors. Work has commenced.

Outstanding meeting with the caretaker needed w/c 8th April 24 to agree duties, and the immediate work needed to be completed. Cllr Green and Cllr Hallsworth to take this forward.

Resolved: N/A **Motion**

3. Allotments – Clerk to conduct a payment run of invoices on Scribe during w/c 8th April 2024, and offer new plots to those on the waiting list (4.5 plots available)

4. Barclays – Cllr Green, as agreed in the meeting, to chase Barclays for an update on the mandate.

5. Employment Matters – Cllr Green gave an update following the pc Extra Ordinary Meeting on Tuesday 19th March 2024, whereby all Councillors voted at that meeting to defend the Employment Tribunal, seek appropriate advice and take the appropriate action necessary as a matter of urgency.

Next steps: due to the urgency of the situation, the parish council needs to take independent legal advice in defending the case, following the receipt of the Claimants bundle (previous Locum Clerk) containing an increased claim for the sum of £26,700, broken down as follows.

Outstanding disputed salary payment: £1,900.00

Storage of Parish Council property: £5,000.00

Loss of work to the Claimant & defamation of character: £19,800.00

The Tribunal date has been set for 28 May 2024 at Leeds Tribunal Court. The parish council is a corporate body and has a duty to defend and protect public money, which is designated for the provision of services to the residents of the parish.

Resolved: Motion passed to defend the case, using public funds. Costs to be advised/estimated at the next parish council meeting. **Motion passed in favour.**

It was noted by the Clerk, and witnessed by all present, that Cllr Markham confirmed that she has sympathies with the Claimant in this Employment Matter and has provided a witness statement to be included in the Claimant's bundle, and that Cllr Hallsworth has also agreed to act as witness for the Claimant.

Actions: To be added to the next agenda.

Actions: Clerk to seek advice from the Monitoring Officer at North Yorkshire Council and YLCA regarding the statement made by Cllr Markham in the Closed Session on Employment Matters. This includes any considered action necessary for exclusion in any future sessions regarding this or any other parish council matter. It was noted that neither Councillor Markham nor Councillor Hallsworth, declared an interest prior to the start of the Closed Session.

Close of Meeting 20:10 hrs

Sign

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Date