

AISLABY PARISH COUNCIL

Minutes of the proceedings of Meeting of Aislaby Parish Council
Held in The Parish Hall, Aislaby on Tuesday 20 December 2016 pursuant to Summons

Present:

Councillor T Jefferson in the Chair; Cllrs R Dobson, L Hall, K Nellis, & W Scarth

Also present were: V J Pitts (Clerk)

Action
by

1 APOLOGIES FOR ABSENCE

Cllrs T Harrison and D Potter

2 TO IDENTIFY ANY ITEMS FOR DISCUSSION THAT MAY REQUIRE THE EXCLUSION OF THE PRESS AND PUBLIC

Due to receiving further legal advice it was resolved to exclude press and public from item 13 iii on the agenda, not correspondence received for items 10b), 13i or 13 ii.

3 DECLARATIONS OF INTEREST

Cllr RD declared an interest 11i and 13iii

4 PARISHIONER MATTERS

The following issues were raised:

- None

5 POLICE MATTERS

- The Police representative was not present; however, the monthly report was read out

6 MINUTES

- RESOLVED to approve and sign the minutes of the Parish Council meeting held on 15 November 2016

7 REPORT ON MATTERS ARISING FROM PREVIOUS MEETING

The following issues were discussed and decided upon:

- None

8 BOROUGH, COUNTY & REPRESENTATIVE REPORTS

- None

9 PLANNING MATTERS

The following were discussed and decided upon:

NYMNP

- None

Planning Applications can be viewed on line at:

NYMNP:

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

or on the Parish Council Website: <https://aislabyparishcouncil.wordpress.com/>

10 PARISH MAINTENANCE

The following were discussed and decided upon:

a) *Ongoing Maintenance of Public Toilets:*

i) Cllr RD reported that the lid of the ladies toilet cistern had been removed

b) *Common Land/Village Green: to consider any correspondence received from the solicitor regarding NYCC's information on CL/VG status under the auspices of Aislaby Parish Council as detailed on the NYCC Commons Register, and the feasibility of registering at the Land Registry areas of CL/VG not currently registered with the Land Registry:* Clerk reported no correspondence received

VJP

c) *Benches: consideration how to progress with resident request for benches outside the Parish Hall should clarification regarding Village Green/Common Land status by the solicitor be received:* Due to no correspondence received from the solicitor to defer to next meeting

VJP

d) *Parking within Aislaby – to receive, consider and decide further action following receipt of guidance from YLCA regarding whether or not the Parish Council has legal powers to implement a TTO on behalf of individual contractors:* Clerk reported that YLCA had advised

that the parish council had no power under the Highways Acts to provide a TTO – a parish council can only provide traffic calming measures and this would not be classed as such. In addition, under S137 due to the TTO only being of benefit to an individual contractor the parish council had no powers under this Act either – a parish council can only provide under S137 if it is to benefit some/most residents. Therefore, the parish council cannot implement a TTO using its own funds or accepting funds from a contractor.

e) *Parking within Aislaby – to receive, consider and decide further action following receipt of further information from NYCC regarding placement of ‘signs’ on verges to alleviate parking obstruction for individual farm contractors:* The Clerk advised that again the parish council could not provide highway verge signs as it does not fall under its powers, as detailed prior. However, Highways had advised that in principle they would not object to a contractor placing signs in verges, but they would have to seek permission from Highways and use an approved contractor for the signs- notification period was not known.

f) *Speed Concerns Egton Road Ref SC1510080: to receive response from NY Traffic Bureau and decide on any further action:* Clerk reported that NY Traffic Bureau had passed this issue onto Highways on the 21/4/16 due to the road not having anywhere suitable for the data logger. Clerk had contact Highways but they were not aware of this referral and were looking into it. Clerk to chase

VJP

g) *Speed Concerns – speed limit changes Toft House Corner Ref SC5102200: to receive response from NY Traffic Bureau and NYCC Area 3 and decide on any further action:* Clerk reported that NY Traffic Bureau had passed this issue onto Highways on the 6/9/16 due to no suitable location for data logger. However, upon enquiry NYCC Highways advised that there are no recorded injury collisions for this area, the movement of the current speed limit or the introduction of a 40mph buffer zone would both require changes to the TRO, and as there is no history of injury collisions they cannot prioritise changes to the TRO in Aislaby.

It was noted that any near misses or incidents should be reported to the Police in order for it to be logged.

h) *Tree Preservation Order – 21 Egton Road, Aislaby:* Noted works have been agreed by NYMNPA to trees covered by the TPO (felling of mature beech and pruning of young beech)

i) *Feather Bed Lane – NYCC ongoing Management update:* Noted that NYCC had advised that they were reviewing the condition of Featherbed Lane and will report back to the contractor to ensure that the situation is improved with next seasons cut.

j) *To note the Clerk has reported the following under delegated powers to the relevant authority:*

- *Street Light No 23 – not working:* Noted that Clerk had reported, but that it was working but dim

11 FINANCE

The following was discussed and agreed upon:

i) *Payment Schedule:* The schedule of payments for December was received, reviewed and members RESOLVED to approve those items listed.

VJP

ii) *To receive, review and approve an updated 3 year Draft Budget:* Noted that spending more than receiving. Clerk stated that figures were estimates and the parish council may not spend it all, in addition funds had to be allocated in the budget line to validate monies to the Auditor and that needed to keep around £3k in the contingency to pay for any parish polls/by-elections. Ongoing costs of the public conveniences were covered by the annual grant from NYMNPA, if any further funds/grants received in conjunction with the public conveniences they would have to be ring fenced for the toilets and could not be used for other areas to cover costs. Clerk advised that on review in the next year it may be possible to reduce her hours from 20hrs to 15hrs a month, but that the archiving was not yet complete. RESOLVED to approve.

VJP

iii) *NYMNPA 2016/17 the annual grant application for £1300 towards the ongoing maintenance of the public conveniences:* Noted NYMNPA confirmed would give grant & remittance advice received. Noted offer had been for maximum of 25yrs from 2002 and for up to £2.5k pa. Noted that when previously asked, NYMNPA stated could not increase amount, also that as previously stated any funds received for the toilet would have to be ring fenced for the toilets only.

iv) *Precept 2017/18 – to decide on the Precept for 2017/18 using the SBC Precept Calculator:* RESOLVED to change the precept from £2066 to £2150, and noted that this would give a zero impact to residents either in terms of reduction or increase ie the precept to the parish council would stay the same for all bands as the current year

VJP

12 CORRESPONDENCE

The following correspondence was received and decisions made as follows:

i) For Decision

- *SBC Housing Strategy 2017-2021 Consultation*: RESOLVED not to respond
- *NYCC Minerals & Waste Joint Plan – Publication Consultation*: RESOLVED not to respond
- *NYCC Community Emergency Plan – revisit correspondence received Dec 2015 as agreed*: RESOLVED not to implement as most residents pull together in times of need
- *HRW CCG Sustainability & Transformation Plan (STP)*: RESOLVED not to respond
- *NYMNP Community Grant 2017/18*: Noted grant, and that no projects to meet criteria. In addition grants were for only up to 70% of costs with maximum of £3.5k

ii) For Information

- No Correspondence File in circulation as all correspondence circulated by email
- Noted Freedom of Information Request received regarding correspondence from stated third parties relating to shale gas, fracking, seismic surveys etc – clerk responded no correspondence received

13 GARTHS

i) *Dispute over Ownership: To receive and consider advice from the Parish Council's Solicitor on this ongoing issue*: No correspondence received. Noted Clerk had chased and that the solicitors had promised copies of correspondence received, but none sent. Clerk to continue to chase

VJP

ii) *York Potash - Minerals: To receive, consider and decide on any correspondence from York Potash regarding the lease of Minerals in N Yorkshire*: No correspondence received

iii) *Garth Fines*:

- *To receive, consider and decide on related correspondence from the Parish Council's Solicitor regarding increase of fines and associated agreements*: Clerk circulated a letter received from the solicitor and contents noted.
- *To receive, consider and decide on further action on related information on the size of each Garth*: Clerk advised that Cllr TH had been able to ascertain the sizes of Garths that did not have figures notated on the old map; however, the Clerk was concerned that those with figures did not seem proportionate in size, therefore, had asked Cllr TH if he could spot check some of the Garths to confirm size
- *To consider and decide whether to increase the Garth Fines in 2018 and if so to decide by what amount*: Discussion was had regarding the pros and cons of increasing the Garth Fines and potential amounts. Noted that now receiving funds from York Potash which is due to ownership of the Garths. It was RESOLVED for the Clerk to pursue with the solicitor the question of if the parish council did not increase the Garth Fines would the Garth Licences in operation be acceptable to continue as they are.

TH/VJP

VJP

It was noted that the Garth File was now in better order than it had been handed over to the current Clerk, but that there were outstanding issues such as boundaries, sizes etc that needed to be resolved for future reference as the present situation was not totally clear for the parish council to understand.

14 DATE OF NEXT MEETING

It was RESOLVED that the next Aislaby Parish Council meeting is 7.00pm Tuesday 17th January 2017 at The Parish Hall, Aislaby as per the meeting schedule

Meeting finished at 8.10pm

Chairman

Dated