

## **CRAYKE PARISH COUNCIL**

### **Minutes of the Ordinary Meeting held on Tuesday 17th November 2015 In the Sports Hall, Crayke at 7.30 pm**

**Present:** Parish Councillors: J. Wright (Chair), C. Merritt (Vice-Chair), S. Featherstone, L. Hartley, T. Moverley, N. Jackson, M. Pepper, D Councillor N. Knapton and M. Fielding (Clerk)

**Parochial electors:** 1

**Public Consultation.**

**Declarations of Interest:**

1. **Apologies.** Apologies had been received from C. Councillor C. Patmore, D. Councillor G. Ellis and D. Councillor C. Rooke

2. **Minutes**

2.1 **Ordinary Meeting held on 2015**

C. Merritt asked that an additional statement be made to item 3.3.1. Second sentence should now read "If land is not Village Green, then cars can be parked up to 15 m from highway, provided that they are not impeding essential pedestrian access." Minutes will be signed at next meeting after approval of addition.

3. **Matters arising from the minutes**

3.1 **Caravan parked near Oulston Crossroads (11.2).** No further information obtained but caravan still in field. Field appears to be for sale and the details describe the land as "multi-purpose." The Council asked N. Knapton to notify a Planning Officer

3.2 **Village Green (10)** Both chair and Clerk had spoken to M. Dawson and grass had been cut.

3.3 **Benches.** T. Moverley reported that all benches are sound but need revarnishing – to be carried out in Spring.

4. **Finance**

4.1 **Current Financial Position.** The current cash in bank is £6,409.68. This is a variation from the last meeting of £1,086.52. One payment had been made to Schofield Sweeney Solicitors for £2,356.32 (£392.72 to be claimed back in VAT).

The half-yearly Precept payment of £1,270.00 had been received on 30/09/15.

**4.2 Cheques:** An invoice for £198.00 had been received from M. Dawson for grass cutting. N. Jackson proposed and C, Merritt seconded and all agreed that a cheque be raised for £198.00.

**4.3 Precept.** Hambleton District Council have requested our proposed Precept amount for 2016/17. This is attached as Appendix A. The amount is £2,693.00 and represents a 6% increase on last year's Precept of £2,540.00. N. Jackson proposed and M. Pepper seconded and all agreed that the new Precept amount be requested from HDC.

## 5. Correspondence

A list of the correspondence received since the Sept meeting was circulated. A copy of this list and access to any of the listed correspondence is available on request to the clerk.

The Clerk brought attention to the Consultation on Minerals and Waste Joint Plan which has a closing date of 15<sup>th</sup> January 2016. The Clerk also asked Councillors to comment on the NYCC Local Transport Plan Phase 2 – the consultation is open from 02 Nov until 30 Nov 2016.

## 6. Planning

**6.1 Planning Applications.** The clerk reported the current Parish related planning applications status as follows:

15/00469/MRC	Rose Cottage, Crayke	Variation of condition	Ongoing
15/00471/MRC	Rose Cottage,	Variation of condition	Ongoing
15/01660/FUL	The Old Garage	Change of use: workshop to dwelling	Permitted
15/01989/FUL	Springfield, Brandsby Street	Demolition of existing dormer bungalow and construction of a two storey dwelling house	Ongoing
15/02250/CAT	Crayke Castle	Proposed works to trees	Ongoing
15/02140/FUL	Foresters Cottage	Extension and solar panels	Ongoing
15/02286/FUL	Crayke Castle	Demolition of reservoir	Ongoing
15/02263/CAT	Crayke Hall	Proposed works to trees	Granted
15/02054/CAT	The Old Rectory	Proposed works to trees	Granted

### 6.2 Planning Application – 15/02250/CAT

A Preservation Order has been put on the remaining trees. Clerk to write a letter to Mark Harbottle, Planning Officer to request information on what procedures took place to oversee felling of trees.

### **6.3 Planning Application – 15/02286/FUL**

Parish Council unanimously agreed that not enough detail had been received on the intended landscaping of grounds after demolition of reservoir and had therefore requested more information from HDC before a decision could be made on the application

### **6.4 Circulation of Planning Applications**

The Clerk requested that the Council pilot a new method of reporting comments. When a new planning application is received by Clerk, all Councillors will be notified by email. Councillors should then log onto HDC website to access plans online. Comments should then be emailed to Clerk. The hard copy of plans will still be circulated but for information only and not for comments. C. Merritt proposed and L. Hartley seconded and all agreed that method be adopted and reviewed after 4 months.

## **7. Neighbourhood Watch and Local Policing Report**

A landrover had been stolen from outside a property on Brandsby Street a week ago. W. Wood, Chair of CGNS requested that CGNS News be circulated to all Councillors and asked the Clerk to highlight the SmartWater Special Offer which will also be circulated in the Parish Magazine.

## **8. Roads.**

### **8.1 General Maintenance of Roads in Parish.**

There are blocked drains near Daffy Lane and Chester Pit Lane, causing excessive surface water. This will cause a significant hazard in icy conditions. Clerk to notify NYCC Highways

### **8.2 Grass Cutting**

Clerk had received form from NYCC Highways regarding options for Urban Grass Cutting in 2016/17. Clerk had already informed NYCC that it did not wish to carry out its own visibility grass cutting. J. Wright proposed and C. Merritt seconded and all agreed that NYCC should still have responsibility for visibility grass cutting.

## **9. Transparency Code**

The Clerk explained that the Transparency Code for Smaller Authorities became mandatory on 1 April 2015. The Code requires smaller authorities (including local councils) with an annual turnover not exceeding £25,000 (defined as the higher of an authority's gross income for the year and its gross expenditure for the year) to publish certain information online.

As many smaller authorities do not have websites or own the IT equipment to upload information online, the Government has created a Smaller Authorities Transparency Fund to which those authorities can apply for funding to cover some of the costs of becoming

compliant with the Code. The fund is being administered by the National Association of Local Councils (NALC).

Crayke Parish Council has been experiencing problems with the existing Village website. The Clerk will look at other local Parish Council Websites and investigate the feasibility of setting up a new website.

## **10. Dispute – Right of Way to Crayke Hall**

**10.1 Engagement of Solicitors.** The Chair reminded Councillors of events since the last meeting in Sept. The Council's insurance company (Came & Co.) had initially refused to pay legal costs. After persistence from the Clerk and Chair, Came & Co. had passed the matter to DAS Legal Expenses who then appointed DWF Solicitors to act on the Council's behalf. However, the Clerk and Chair were still waiting confirmation that DAS would pay the legal costs. In the meantime, the Council had to find an interim Solicitor to deal with the dispute. The Council engaged Laura Salvati of Schofield Sweeney on 23 Sept 2015. DAS Legal Expenses agreed to pay legal cost under strict review on 29<sup>th</sup> October 2015 and all paperwork has therefore now been passed to Samantha Pringle of DWF solicitors who is acting on the Council's behalf.

**10.2 Letter from Lupton Fawcett.** A letter and survey reports (dated 09 Nov 15) had been received from Lupton Fawcett, the solicitors representing the owners of Crayke Hall. The letter states that:

- The Parish Council has refused to engage in discussion with the owners of Crayke Hall
- The bank has collapsed and this could possibly be caused by traffic including funeral and wedding cars
- The posts are being used by cyclists to chain their bicycles and causing an obstruction

The letter also requests that the matter be resolved, subject to contract, on the following basis:

- The Council removes the posts within 28 days
- As a gesture of goodwill, the clients will contribute to and /or pay the costs of repair of the steps for a period of 12 months ifrom the date of the post removal in the event that they are damaged by vehicular traffic.
- The Council will erect "No Parking" signs in two locations to be agreed.

## **10.3 Decisions.**

**11.3(i)** The Council unanimously refutes all allegations of refusing to engage in discussion. J. Wright proposed and N. Jackson seconded that a minimum of 2 Councillors and all agreed that a minimum of 2 councillors agree to Alternative Dispute Resolution (ADR – a formalised independent system of dispute resolution), should this

be necessary and subject to who conducts ADR. A final decision must then be made by full Council.

**10.3 (ii)** The Council maintains its position that there has never been a right of way for vehicles to drive over the steps.

**10.3 (iii)** The Council maintains its position that the bank has not collapsed but has been eroded, possibly by vehicles driving frequently into the bank.

**10.3 (iv)** The Council has no evidence that funeral and wedding cars are causing damage to the bank. The Council will monitor the situation regarding bicycles.

**10.3 (v)** The Council is unwilling to remove the posts as the steps will be vulnerable to more damage and to enter into a 12 month contract with the owners of Crayke Hall would not be feasible.

**10.3 (vi)** The Council is willing to increase the height and visibility of the posts, particularly the one nearest the property.

**10.3 (vii)** The Council is willing to investigate erecting “No Parking” signs but this must be done in accordance to relevant laws and the conservation status of the village, the views of other property owners and other members of the community.

**10.3 (viii)** The Council is willing to consider some sort of protective works such as curbing along the bank which would provide additional sensory indications.

A draft response to the letter from Lupton Fawcett will be sent to Samantha Pringle at DWF this week by the Chair.

**11. Registration of Village Green.** C.Merritt and the Clerk will begin the process of applying to register the steps to Church and adjacent land as Village Green.

**12. Matters Arising and for Further Discussion.**

**12.1 Ash Tree.** A report of a dead and dangerous ash tree had been made to the Clerk as it was thought that the tree might be on Parish Land. Clerk to investigate

**12.2 Cobbles on Westway.** The Chair praised the quality of the new cobbles placed by residents of “Hillside” on Westway. Clerk to write a letter of thanks on behalf of Council.

**12.3 Crayke Parochial Charity.** A new representative is needed. J. Wright proposed and T. Moverley seconded that S. Featherstone be elected as the new representative

**13. Date and time of the next ordinary meeting.**

The next Ordinary Meeting will take place on Tuesday 19<sup>th</sup> January 2016 at Crayke Sports Hall at 7.30 pm.