

**MINUTES OF THE MONTHLY MEETING OF SHERBURN-IN-ELMET PARISH COUNCIL  
HELD IN THE HARRY MOUNTAIN ROOM AT EVERSLEY PARK CENTRE ON MONDAY  
10<sup>TH</sup> APRIL 2017 @ 7PM**

**Present:** Councillors P. Doherty (Chairman), C. Lake (Vice Chairman), Mrs J. Brown, Mrs J. Prescott, D. Buckle, Mrs B. Thwaite, B. Packham, M. Hobson, K. Devers, L. Wake, Mrs M. Hunt, T. Platts and Mrs M. Gibson (Clerk)

Also present: 3 members of the public and the Press.

**MEETING BUSINESS**

**116. APOLOGIES FOR ABSENCE:**

No apologies were received.

**117. DECLARATIONS OF INTEREST**

Chairman, Councillors Devers and Packham declared interests in the Community Trust.

**118 MINUTES OF THE LAST MEETING**

Minutes of the last meeting held on Monday 20<sup>TH</sup> MARCH 2017 were approved and signed by the Chairman.

**119. PUBLIC OPEN SESSION**

Resident requesting some funding towards a **new mower for cutting the graveyard.**

Councillors felt this was the Church responsibility. Suggestions that they try CEFs or Lions for help with this. Councillor Buckle left the meeting and made a call to the Lions who would certainly look at this if an application is put forward for funding.

Resident read out the following letter **of Complaint about the Chairman and the Clerk** (see below). Chairman did reply to resident stating he was in the wrong and apologised for his actions and assured the resident that there was no political malice in his actions, he had just made a mistake.

Resident wishes a formal response from the Council on his questions and also one in writing. Councillor Packham stated this need consideration before comments can be made, Councillor Lake agreed that all Councillors should read this letter and then proper answers can be made. This to go on next month's agenda for proper discussion and responses to be made. This action was proposed by Councillor Packham and seconded by Councillor Lake, vote was taken and 8 councillors for this and 4 abstained. **Therefore this action was approved.**

Dear Parish Council,

As you know I raised a complaint regarding the conduct of your Chairman Paul Doherty to the Monitoring Officer at Selby District Council. I have now received a reply. Gillian Marshall has confirmed that Paul Doherty was not authorised to submit an objection on behalf of the Parish Council to Selby District Council regarding my Father's Planning Application. Gillian Marshall has also confirmed that Sherburn in Elmet Parish Council chose to adopt an alternative code of conduct to that of Selby District Council. The Parish Council's Code of Conduct is based around the NALC Code of Conduct. So reading between the lines it would appear that Sherburn in Elmet Parish Council are a law unto themselves. However having taken some advice it would appear that the electorate are responsible for their Parish Council after the Localism Act was passed. The Monitoring Officer at Selby District Council has limited power over Parish Councillors unless they are in breach of the Code of Conduct

adopted by the Parish Council. It would appear that Sherburn in Elmet Parish Council's Code of Conduct does not contain a provision to prevent a Councillor from bringing the Council or office of Councillor into disrepute. If it had, this of course would have meant that the Monitoring Officer could have applied the appropriate sanctions to Paul Doherty. It would also appear that in Sherburn in Elmet a Parish Councillor who has not followed protocol and has lied in an attempt to deceive a member of the parish for whom they represent can continue to be a Councillor. As a member of the electorate, there are questions that I would like you to answer.

1) Are all of the members of the Parish Council happy to be a part of a Council chaired by someone willing to break protocol and deceive?

2) Does your Chairman feel that his actions in dealing with my fathers planning application and later my complaint were suitable to his position as Chairman of the Parish Council.

3) Does the Parish Council agree with me that the current code of conduct is inappropriate?

Although a separate issue, I have some major concerns about the ability of the Parish Council Clerk. It has taken many emails backwards and forwards to finally get a copy of the correct code of conduct. I was presented with two out of date documents before finally being presented with the correct one. This has not only wasted my time, but also the time of Gillian Marshall at Selby District Council. It is not as though this was a complicated request and I believe that the Parish Clerk is an employed member in a salaried position.

I appreciate that the members of the Parish Council are in volunteer positions, but you wouldn't expect someone to be a volunteer firefighter and not follow the correct procedure to effectively fight a fire or save someones life. Fortunately for the residents of Sherburn in Elmet the Parish Council are not responsible for life or death situations, but I still believe that the correct protocol should be followed by every member and this should start at the top. Although I have chosen to read this letter at a minuted meeting and I look forward to hearing your initial responses, I would also like to receive a written reply. Should you require any further information or copies of correspondence then please feel free to contact me.

Yours sincerely  
Mathew Askey

## **120. POLICE ISSUES.**

**i) Police Presentation – No Police present.**

**ii) Police Representative report – Councillor Brown reported that Sgt. Brighton is looking at Data Protection problem before she (as Police Representative) can attend meetings. Agreed that Councillor Brown would speak to the new PC and find out what is happening about this.**

**iii) Reply from Police regarding Anti-social Behaviour –Sgt.Brighton was upset we had gone above his rank regarding this matter. Resolved that Clerk write and state this was not intended as a criticism of the local force. Councillors just felt that with so many issues and residents worries we should take this to a higher level.**

## **121. NORTH YORKSHIRE COUNTY COUNCIL**

**To Report and take comments on.**

**See full report at end of minutes**

## **122. CORRESPONDENCE**

**i) To receive letter from Selby Civic Voice - regarding Civic Day on the 17<sup>th</sup> June 2017 copies been sent to all Councillors.**

ii) **To receive letter from PKF Littlejohn regarding external audit** - final report to be to them by the 12<sup>th</sup> June. Clerk had contacted Internal Auditor to get this finalised before next Parish Council meeting.

## 123. PARISH COUNCIL BUSINESS

### a) PLANNING

i) **Report on Planning meeting 6.15pm In PC Office**– Chairman reports that 60 homes in Pinfold Garth are to be considered at Selby on Wednesday. Separate minutes will be forwarded.

ii) **Report from Transport/Traffic Committee** – no meeting.

iii) **Construction sites** – Councillor Packham reports that early starting is still a problem and has been reported again. Councillor Packham reports that the 278 agreement for roads the developers are rather “dragging their feet” on this. Councillor Hobson reports there has been lots of complaints about dust from these sites. Councillor Platt will check if these developers are members of the “Considerate Contractors Scheme” because if they are more action can be taken.

### b) COUNCIL

i) **Update on Emergency Plan** – Councillor Devers reports that this document is “stuck” in Mindmap on his laptop and he cannot access this at the present time. **Agreed Councillor Devers contact Orrin and see if he can release this document.**

ii) **Update on Email addresses for Councillors** - Ongoing. Councillor Brown got new tablet is it in order for her to get Orrin to install her email address on this – **Agreed this is in order.**

iii) **Programme for Growth** - Councillor Packham reports that work on the 3G pitch is due to start today. Councillor Buckle reports that the defibrillator at Jacksons is now up and running.

So notice in Parish Noticeboard needs upgrading telling people where it is.

iv) **Pavement Parking on Beechwood Glade** - Councillor Wake had an email from PC McGreevy but no action has been taken yet.

v) **Toilets in the village (Cllr Hobson)** - Councillor Hobson reports that this is still ongoing will report at next meeting.

vi) **Youth Update** – Councillor Thwaite reports that White Rose are awaiting Selby coming back to them with consultation, then the management committee can decide what they want to do about this.

vii) **To discuss Community Development Manager Vacancy** – Councillor Thwaite felt that 37.5 hours was too much and what was this person going to do for all those hours. Chairman reported that the hours were originally discussed and agreed at full council meeting. Councillors Wake, Platts and Packham felt we would have to re-advertise and start all over again if we change the hours to what would be (in effect) part time. Councillor Devers asked where it is intended this person would work as originally it stated at the Library will this still be the case? – Chairman reports yes as it is intended that will be the “hub” for all village contacts with the councils. Councillor Lake reports that this will be on a 3 month then 6 month contract to give the person chance to build up the job, to pursue grants and produce projects for this village. Much discussion took place and it was finally voted upon 8 for this, 3 abstained and 1 against. **Chairman would contact the 5 shortlisted people and arrange interviews as soon as possible.**

viii) **Update on Traffic problems Wolsey Croft** - Nothing further to report at the present time.

ix) **Following complaint from resident to Monitoring Officer at SDC our Code of Conduct needs upgrading.** Clerk reports that this should have a paragraph which states "Councillors should not bring the Council or Role of Councillor into disrepute". **Resolved that the council should adopt the same Code of Conduct as Selby District Council, Clerk to get copy and this can then be officially adopted at next Meeting.**

x) **To report on CIL payments for March/October- Clerk reports we have nil payments to come.**

xi) **To discuss how the Parish Council can attract more shops to the village-** Councillor Wake reports he has had emails from residents not happy that this village is getting two more takeaways. Councillor Buckle reports that Selby are now putting in place a clause limiting the number of takeaways in an area. Selby state that the two shops have been boarded up for 2 years which is just not correct. Councillor Hobson reports that Elmet Kitchen are considering opening up a tea room. Councillor Devers stated that fast food shops will find a level where they can make a living, but not all will survive. This village will get them come what may we just have to make sure the policy regarding bins etc is properly in place. Chairman asked if there is some form of incentive for small businesses. Councillor Buckle reports that they get free rates for 2 years which should help them start up. Councillor Platts states that unfortunately market forces come in to play on these. Perhaps we should add this to the Community Development Managers roles to try and encourage more shops to the village?

c. **FINANCE**

i) **No Finance meeting held.**

ii) **Cheques totalling £21,238.19 (see separate list) were approved and signed by the Councillors.**

d) **LAND & PREMISES**

i) **No LAP meeting held.**

e) **PERSONNEL/TRAINING**

i) **No Personnel Meeting held.**

124. **OTHER REPORTS**

a) **Selby Rail Users** – Councillor Buckle reports that that there are more trains on a Sunday now but not getting much usage. **Agreed this service be advertised in the Informer and on the website.** Councillor Buckle reports that Utopia buses to York are also only carrying 4 passengers most of the time. Chair asked Councillor Buckle to supply details so he can publicise this on our website and Facebook page.

b) **Gala Committee** –Councillor Lake reported all ongoing for Gala in May. All-weather matting for field entrance was going to cost £10k they have got £9k from CEFs towards this. Also tree at entrance to park needs trimming back to allow access for vehicles onto the park. **Clerk to check if a TPO on this tree before work can be done on it.**

c) **Community Association** – Councillor Thwaite reports she has got a price for a gazebo for Gala stand. Councillor Prescott reports that a small marquee was suggested instead, **Councillor Thwaite would get a price for this and get back to Council.**

d) **Eversley Park Centre** – Councillor Hobson asked if we could go ahead with turning off wifi in office, **agreed Clerk should contact Orrin about this.** Councillor Platts stated this did not need to be every day, this would be looked at.

e) **Yorkshire Local Councils Association** – No meeting held.

- f) **C.E.F.'s** - No meeting held.
- g) **Rugby Club** – Councillor Thwaite reports we need to find out when boiler check is due for this building and get it done as soon as possible.
- h) **Angling Club** – Councillor Hobson reports the club would like a Barnsley Bin sited, they will install and empty this if Council gets one for them. **Agreed Clerk should order this.**
- i) **White Rose Football Club** – Councillor Thwaite reports they would like the holes in their car park filling. Councillor Hobson would see what he can do about this and report to next meeting. Clerk reports that Bowls Club have put in account for £900 for their grass cutting and we usually allocate £800 for this. **Agreed Clerk write and ask why this is more and also this should be done by contact with the White Rose Committee. Also ask that they do not put grass cutting in hedge bottoms as this is causing rat problems.**
- j) **Fairways area** – No report
- k) **Aero Club Liaison Committee** - No meeting held.
- l) **Village Centre Project** – Councillor Buckle reports that we need a plaque on the sculpture so that people know why it is there. **Agreed this be priced up and a wording agreed. To go to next Finance meeting.** The idea of the non-slip surfacing is on hold at the moment as there is no money left in this pot. **Agreed that we get 3 prices for this work and make sure they meet the criteria for public areas. Councillor Buckle also reports that the defibrillator at Jacksons is now up and running so need to put notice in Notice Board that this is nearest machine. Also we can get the training organised that was promised with the machine.**
- j) **Craft & Food Festival 2017** – Councillor Buckle reports that they wanted the tree trimming back (mentioned in Gala section). Park and ride organised now.
- k) **Community Library Steering Group** – Chairman reports this has been live since 1<sup>st</sup> April some teething troubles but working well. This is run by volunteers and some paid staff.

#### 125. CLERKS REPORTS, REQUEST FOR MATTERS FOR NEXT AGENDA

- i) **Resident asking who owns area of land opposite 70 Moor Lane** –Clerk reports this is not our thinks this still belongs to builders (Barratt Homes) will let the resident know.
- ii) **Quotes for Cleaning and tidying Eversley Park, Fairways, Pinfold etc** –Clerk reports all same as last year - **Resolved these be accepted.**
- iii) **Letter from NYCC Selby Area Committee** - Did we wish to nominate anyone for this committee – No Councillors wished to go on this committee.
- iv) **Quote for installation of defibrillator at Jacksons** – Clerk reports that as this was for £85 she had told the contractor to go ahead. As previously reported this has now been done.

#### ITEMS FOR NEXT AGENDA

- i) **Cowbell corner signs, farmer not happy these were installed without asking his permission (Cllr Hobson)**
- ii) **Data Protection Policy (Cllr Devers)**

#### HIGHWAY ISSUES MEETING 2.2.2017 AT AREA 7 OFFICES SELBY

**Notes following meeting with Gary Lumb and Luis Alpalhao**

**Update following meeting of 6 April 2017 with Nigel Smith, Luis Alpalhoa and Sharon Fox**

**Sharon's additions**

#### SOUTH MILFORD

- 1) **Cars parked around the doctors.** Has the lining been completed?

The lining has been completed but not in accordance with the plan. Ringway will be contacted and will have to return to site and carry out work in accordance with order. Area 7 to inform RP of date for work to be redone. GD to chase up.

Glen's comments: Bus Stop road markings have the same restrictions / desired effect as double yellow lines in that no waiting is permitted. To remove the road markings would damage the road surface and to extend the double yellow lines would require going through the Traffic Regulation Order process consultation / legal advertising etc whereas we can extend the bus stop straight markings straight away.

Outcome - Agreed. Please inform me and South Milford PC when this will be done. GD to progress and advise when will be done.

- 2) **A63 Peckfield to Holyrood roundabouts.** Discuss recent update and further complaint from resident about signage on to slip road towards Sherburn on to B1222 received 27/1/17.

James Gilroy has been trying to get a response from Leeds. GL has asked for an update. It was agreed that he would wait two weeks and if no progress would contact JG again, and inform RP of outcome. RP also raised the issue of the lack of signage at the entrance to the slip road from the A63 onto the B1222 towards Sherburn, in particular the lack of a chevron sign.

Outcome: Remind **GL will source a chevron sign and address this. Still a problem with Leeds elsewhere, but Sharon will contact Leeds Officers and James Gilroy** Please inform me and South Milford PC of outcome.

- 3) **Trees - Common Lane.** Discuss Parish Council and residents views. To removal of trees

RP made the point that whilst the Parish Council had accepted that the trees had to be removed Councillors had criticised the consultation process, particularly the gap between the initial notification and the felling of the trees. RP suggested that Area 7 should review the procedure with a view to providing clearer information to residents and the Parish Council.

Outcome: In relation to Highway trees Sharon to contact SMPC clerk to meet and discuss.

- 4) **Speed limit, Lund Syke Lane SM.** Any results from data logger?

The data logger on Lund Syke Lane had been set up by the telegraph pole next to the last property on the Lane. This showed average speed figures of 24mph and 85 percentile figures of 29mph in both directions.

Outcome: No further action

- 5) **Wain Gap bollard.** Any update on progress?

It is understood that this still awaits work on the culvert entrance grid. GL will discuss John Hodgson and ask about his discussion with a haulier whose vehicle was identified damaging the parapet/bollard and inform RP.

Outcome: No point replacing bollard before culvert work as bollard would have to be moved when EA do work. Please inform South Milford PC of when work will take place.

- 6) "Part of Westfield Lane is down for footpath repair in the nycc 2018 programme. Can this be extended to all Westfield lane?"

Response: Westfield Lane – for any works further along Westfield Lane the scheme would require drainage, passing places and we would look at creating a shared space carriageway / footway. Investigation work would be necessary. Timescale nor extent of works decided.

- 7) "At last year's open meeting the clearing of silt in the culvert under the bridge near the Swan was mentioned and it has still not been cleared. We are being told this is nycc. Are you able to let us know when this will be done?"

Response: The culvert was cleared by Fire & Rescue last year following on from the actions initiated through the SMAF meetings. Previously the culvert hadn't been de-silted since it was re-decked approx 15yrs ago.

- 8) Question: "A few months ago a resident raised with you at a meeting the state of the road - Common Lane, leading to the digester. Are you able to let me know if anything is to be done?"

Response: Common Lane - Section 278 will include traffic lights, carriageway widening, surfacing utility underground cabling works. The condition of the verge is monitored, overrunning is acknowledged and addressed by the Senior Highways Engineer with the developers / contractors when necessary. When the works are complete the location will be inspected before it is signed off. No timescale given.

RP expressed general concern about delivery of 278 Agreements. NS advised that meeting convened with SDC Management Board including Planners.

## **SHERBURN IN ELMET**

- 9) **Beech Grove residents parking up date.**

County Hall are still not making a decision on this issue, which relates to the uncertainty about the cost of permits and the amount available for resident parking schemes (if any) post May elections. There will be no decision until after May.

Outcome: GL indicated possible short term solution, what is it? There will be no decision until after May. Please keep Sherburn PC informed. GD has suggestions that he will forward to BP & PC

**10) Kirkgate/Crossway.** Update on timescale

Works will be carried out in April to reinstate the yellow lines and to extend the signage on Kirkgate, Sir John's Lane and Church Hill, including where the B1222 enters the village.

Outcome: Still scheduled April. **GD to advise when**

**11) Gritting.** New Lane and other locations referred to by Parish Council.

GL confirmed that gritting of Priority 3 routes would only take place in extreme weather conditions (essentially where freezing conditions and lying snow are expected to last 72 hours or more).

Will be reconsidered this summer by Executive on basis of Parish request. Please keep Sherburn PC informed.

**12) Mud on Road, Low Street Sherburn**

There had been complaints about mud on the road. RP and GL had checked this and it wasn't too bad on the day they looked, when the most obvious mud was from the Athelstan site towards South Milford. Highways to continue to monitor. Also concerns about failure to complete 278 Agreement requiring Low Street improvements despite occupation of housing. GL to discuss with Steve Hill.

Outcome: Section 278 still not progressed, RP explained urgency. Steve Hill to update RP.

**13) Lining outside Boots** The parking area outside Boots had been relined, including the yellow lines and disabled bays. RP considered the quality was very poor. GL will ask GD to inspect.

Outcome: GD to update RP

**14) Parking outside Aldi**

RP expressed concerns about safety issues here, also raised at PC

Outcome: Luis will ask Glen to have a look at this and report back. **GD to investigate**