

EARSWICK PARISH COUNCIL

Minutes of Earswick Parish Council meeting held in Earswick Village Hall on Wednesday 18th June 2008

Present:	Councillors	W Gambold M Leach P Norman S Wiseman P Anderson
	Clerk	S Leach
	Responsible Finance Officer	S Millson

Members of the public present: J Nicholson, I Jones, Mrs J Hepworth, Mr J Hepworth, G Wakefield, M Wakefield, S Blenkiron, M Woodward, S Woodward, S Eden, N Eden, G Mortimer

1. Apologies for Absence

None received

2. Declarations of Interest

None declared

3. Minutes of Previous Meetings

Councillors agreed the minutes of the Annual Meeting of the Parish Council and the Parish Council Meeting both held on 20th May and the minutes of the Parish Council meeting held on 13th June 2008 as a true record.

4. Officers and Representatives Reports

4.1 Clerks Report

- The residents of Fosslands have now received notice that the estate has been handed over to a management board. The Parish Council has previously agreed to facilitate a meeting in the village hall for residents to discuss the way forward and this meeting will now be organised. **Action: ML,PA**
- City of York Council is considering the application to increase the number of Councillors to seven.
- The application forms for grants from the Ward committee for 2009 are now available from the clerk.
- The notice board at the end of Northlands Avenue has been vandalised and the Council needs to find someone to repair it. **Action:SW**
- The football pitch has now been rolled.

4.2 Responsible Finance Officers Report

- a. Councillors discussed the bank reconciliation.
- b. There was no new expenditure to authorise.
- c. Councillors resolved to complete new bank mandates to remove Mrs Cook and add Mrs Millson.

Councillors discussed the removal of the bike shed roof which was brought forward from the meeting of 20th May for a decision. Councillor Leach declared a prejudicial interest and left the meeting. Councillors resolved to ask Oddjob services to carry out the work.

Councillor Leach rejoined the meeting.

5. Planning Applications

None received.

6. Review of Standing Orders

Councillors resolved the following changes to Standing Orders:-

Standing order 54 to be amended to read;

If a member who has declared a personal interest then considers the interest to be prejudicial and they wish to address the council on this issue, he/she must move to the public gallery where they may address the meeting for no more than three minutes. The member will then withdraw from the room or chamber whilst the matter is discussed and the vote is taken.

Additions to be made to Standing Order 63

63 b) – however where a member of the public has applied in writing to the Clerk not less than two clear days prior to the meeting to address the meeting in relation to the business to be transacted at that meeting, as detailed on the published agenda, the meeting shall not need to be adjourned to allow the member of the public to speak.

63 c) Where a member of the public has applied in writing to address the council under SO 63b) they may speak only once when invited to do so by the Chairman for no more than three minutes. The Parish Council will not enter into debate with the member of the public. **Action:SL**

7. Drainage to the Public Open Space

The Parish Council has received a letter from the representatives of Andrew Thompson regarding problems he is experiencing with his land drain which runs under land owned by the Parish Council and also land owned by Barbara Thompson which is due to be signed over to the Parish Council. The land drain has become blocked under the land owned by Barbara Thompson on a number of occasions and Andrew Thompson wishes the Thompson Estate and the Parish Council to install a new solid drain across the land. City of York legal department have advised that the drain is the responsibility of the drain's owner and not the person under whose land it runs unless that person causes it to become blocked. As the blockage to Andrew Thompson's drain was under the land owned by Barbara Thompson Earswick Parish Council cannot be held responsible for it. City of York council have advised the Parish Council to get further specialist legal advice.

Councillors resolved the following action:-

- The documentation to transfer the land from the Thompson estate to Earswick Parish Council will not be signed until this matter is resolved.

- The Parish Council is willing to give permission for Andrew Thompson to install a solid drain, at his own expense, under Parish Council land.
- The Parish Council continues to be willing to pay £500 towards the work to remove the trees which are presently considered to be causing the blockage to the land drain.
- A meeting will be pursued with Mrs Thompson and her legal representatives to seek resolution to this issue. **Action:BG**
- A letter of acknowledgement is to be sent to Andrew Thompson. **Action:SL**

8. The Ditch

The owner of 6 The Village has applied to the Land Registry to alter the title deed to the ditch to claim ownership of the ditch to the rear of their property. The Parish Council resolved not to object to the transfer however it will be agreed due to minute 6 of the Parish Council meeting of 12th December 2006 i.e *The Parish Council notes that no 6 Earswick Village has ownership of the ditch to the rear of said property by virtue of adverse possession.* And not because of the supporting document quoted in the application (minute 9 7/6/05) which was superseded by minute 6 9/11/05.

Action:SL

Councillors further resolved to write to the owner of 20 The Village to invite him to meet to discuss his issues over ownership of the ditch. **Action:SL**

9. Appointment of a Land Agent/ Legal Representative

Councillors resolved to pursue the possibility of appointing a suitably experienced legal representative to give advice about the management of issues relating to the Public Open Space.

10. Items for Information/next agenda/newsletter

Councillor Wiseman reminded members that the next ward meeting is on 9th July at Strensall.

Items for the newsletter were discussed.

The meeting closed at 9.10pm.

Signed.....

Date.....

Shirley Leach
Parish Clerk