

EARSWICK PARISH COUNCIL

Minutes of the meeting of Earswick Parish Council, held in Earswick Village Hall on Monday 17th March 2014.

Councillors Present: D Jones
S Wiseman
K Pace
P Leveson
G Offler

Parish Clerk: J Fisher

Members of the Public Present:- P Doughty, C Richardson, P Horworth, A Farrar, C Burnham, M Burnham, K Beamish, H Mead, A Nichols, S Winspear, J Holland, P Duffey, J Jarrold, J Sharpe, H Davey, V Gill, N Blackburn, L Blackburn, A Hawes, P Hawes, F Jones, I Jones, S Yeowart, I Yeowart

1. Apologies for Absence

None

2. Declarations of Interest

None.

3. Minutes of Previous Meetings

Minutes for the Parish Council (PC) Meeting on 10th February 2014 were approved as accurate records by the Councillors and signed.

4. Members of the Public.

The Chairman read out a statement on behalf of the Parish Council (copied at Appendix A) before the members of the public raised the following points:

- The Parish Council was asked to consider the planting of poppy seeds in the pond and meadow areas to commemorate World War One.
- Clarity was sought on restricting access from Strensall Road through the Enclosed Open Space (EOS) as at a previous informal meeting it was felt this would be an increased security risk.
- The Parish Council was asked to consider the impact on wildlife by opening the EOS, particularly as there were previous suggestions to turn the area into wildlife zone. Concern was expressed regarding dog fouling and unleashed dogs in the EOS, and the question was raised of how dogs could be restricted in the EOS now the fence and gate have been removed.

- A resident referred the PC to the February 2012 minutes, which stated that the opening of the EOS could cause problems of vandalism and anti-social behaviour, and expressed their feelings that the PC had ignored its and the residents' misgivings.
- One resident reported they had been through the PC minutes from 2007 to date to piece together how the PC had arrived at the decision to remove the fence and gate to the EOS. They reported there was no mention of the matter until 2012 and felt the PC did not always act in line with statements. At a Scented Garden Committee meeting on 20.5.13, to which the Environment Group was also invited, residents had said they didn't want to see a change of use to the EOS.
- Another resident asked where the support to open up the EOS had come from bearing in mind it is very boggy. Concern was expressed that the EOS would be opened up at both ends to create a footpath.
- Two residents felt the EOS was public open space and should be treated the same as all other public open spaces in Earswick. One suggested the EOS could be considered for allotments or a nature park.

5. Ward Councillor's Report

Ward Councillor Doughty reported that he had received a fair amount of correspondence regarding the opening of the EOS. He had consulted with the City of York Council (CYC) solicitor who had confirmed that the land was PC land and that the CYC could not get involved in any discussion.

He had received an email from the PCSO which had given the impression that the opening of the EOS should not affect the relatively low crime levels in the area. He stated that he would want to monitor the situation.

Ward Cllr Wiseman reported there has been a ward meeting for applications for wind turbines with 90m masts at Murton, Stockton and Holtby. Villages are concerned approval will be given before the Local Plan is enforced. If approved, the turbines may blight the landscape for Earswick residents too.

6. Clerk's Report

a. The ongoing action tracker was reviewed and the following points were made:-

- i. On 11/2/14 Dave Meigh, Operations Manager at City of York Council (CYC), emailed the Clerk to say section 106 money (£4,008) has been paid to the Planning Dept for development of 18 The Village but it was not yet released into the parks a/c for payment to the PC. The Clerk is awaiting an update from Dave Meigh and Tim Goodall. **Action JF**

- ii. Cllr David Jeffels (North Yorks Council) has confirmed Earswick PC was unsuccessful in its application for a £500 grant for playground equipment.
- iii. The contract to A Hill for maintenance services to the Public Open Spaces has been sent to him for signing and he has been asked to forward his insurance documentation to the PC. **Action: JF**
- iv. The contract for Mike Harland to cut the riverside hedge for three years, from April 2014, has been sent for him to sign and he too has been asked to forward his insurance documentation to the PC. **Action: JF**
- v. Cllrs Offler and Pace agreed to meet with Shane Daniels from Huntington school to discuss the school's requirements for a sponsored walk across PC land in June 2014. **Action: JF/GO/KP**
- vi. The Clerk has contacted the PC website provider again to request the ability to enter updates under the 'Neighbourhood Watch' heading on the home page (rather than under 'Document Archive'), and to remove the 'Village Hall Events' heading as the events are shown under a sub-heading within the 'Village Hall' heading on the home page. **Action: JF**
- vii. The Clerk is working on the review of the Standing Orders in line with the new NALC guidelines. She will forward the latest guidelines and the existing Standing Orders to PC members for consideration too. **Action: All**
- viii. It was reported that proofs for the River Foss Society (RFS) Interpretation Board are being considered by the RFS. Cllr Pace will liaise with Adrian Bury on the positioning of the Board, avoiding drains and allowing room for hedge cutting. **Action: KP**
- ix. The drainage of the area leading to the river from Diamond Wood was discussed. Cllr Wiseman reported that the Foss Internal Drainage Board (FIDB) felt a land drain was unnecessary but they are considering the laying of hard core to address the problem. **Action: SW**
- x. It was reported that oil drums near the weir have been moved over a little from their original position and covered with foliage.
- xi. The Payback team had moved approximately 90% of the tree brash to the car parks (so Mr Hill could chip – free of charge) and filled in dog holes. Smaller branches have been kept for wildlife habitats.
- xii. Anti-climb paint (£20 approved in January) and warning signs for anti-climb paint (£60 approved in February) were reportedly not required anymore because the Scented Garden (SG) Committee had agreed to allow the hedge to grow.
- xiii. CYC has been unable to trace the number plate of the fly-tipping offender. The items were removed by refuse collectors.

xiv. It was reported that the horticulturist from the Payback Team could not give an opinion on tree management in Earswick so the PC agreed to contact experts at CYC for advice. **Action: KP**

xv. Grass seed spreading around the Landing Lane bridge will be carried out shortly. **Action: KP**

xvi. The Clerk emailed CYC on 18/2/14 requesting repairs to the grass verge on the corner of Shilton Garth, and potholes in The Village and Stablers Walk, and requesting a new footpath for The Village. Stephen Moulds from CYC has said the footpath was graded level 3 and, therefore, not included in the next schedule of repairs. The Clerk has asked if the path could be reconsidered for grading to level 4 which would mean it would be included in the next schedule. **Action: JF**

Other information/correspondence issues raised by the Clerk:

The PC had received a signed petition from a number of residents who objected to the removal of the fence and gate from the Enclosed Open Space (EOS). The PC had noted the views expressed in the petition but felt that the issues had been duly considered at the December meeting, when the decision to remove the fence and gate was taken.

b. The following pre authorised payments have been made since the last Parish Council meeting:-

- Mrs Fisher's salary for February;
- £24 to British Gas for February;
- £7.50 to J Fisher for black ink cartridge;
- £7.20 to J Fisher for stamps;
- £1.49 to J Fisher for envelopes.

The following payments were authorised:

- £8.90 to J Fisher for stationery;
- £14.48 to J Fisher for stationery;
- £7.09 to Yorkshire Water;
- £112.50 to Huntcatchkill for quarter 2 mole removal;
- £120 to A Hill for gate/fence removal & boxing in standpipe in EOS;
- £50 to J Fisher – reimbursement of annual telephone charges;
- £8.10 to J Fisher for stationery.

The Clerk had sent the VAT return and received notification of a VAT repayment of £2,351.90 on 4th March 2014.

£30 has been transferred from the tennis account to the current account for the new tennis lock.

A request to the RBS to cancel a lost cheque (number 000954) for £6.28, made payable to P Leveson, was signed by Councillors. A replacement cheque for £6.28 was authorised to P Leveson.

7. Planning Applications

The following planning applications were dealt with by the Clerk using delegated powers, recording no objections:

- application 14/00156/FUL 3 High Garth YO32 9FR (single storey rear extension).
- application 14/00562/FUL 30 Earswick Chase YO32 9FY (single storey rear extension)

The City of York Council approved planning application no. 13/03895/FUL, 11 The Village YO32 9SL (single storey side and rear extensions & canopy to rear).

8. Monthly Equipment Check

No action required.

9. Improvements to the area around dog bins

The PC discussed concreting or replacing the slab at the base of the dog bin at the end of The Village. Cllr Wiseman offered some small replacement paving slabs free of charge which were accepted by the PC. Cllr Wiseman will liaise with Cllr Ofler over placement.

Action: GO/SW

10. New Path through the Flower Meadow to Diamond Wood

Fresh water springs and land drains spill onto the current path near the flower meadow. If the PC laid a path, and it was adopted as a footpath, it would be responsible if the path subsequently flooded.

It was reported that the CYC Public Rights of Way Office want to build a new bridge over the Foss but it would be very expensive. It was agreed Cllr Wiseman will talk to the FIDB about the drainage, and the CYC regarding the prospect of a new bridge.

Action: SW

11. Village Hall Boiler

British Gas has been called out twice this month to repair the 17 year old boiler. The PC agreed to ask the Village Hall Committee (VHC) to obtain three quotes on replacing the boiler.

Action: KP

The Clerk was asked to look at the PC contract with the VHC to ascertain if it details the PC's responsibility towards the boiler.

Action: JF

12. CCTV Cameras on the Village Hall

Residents have complained of owners allowing their dogs to jump out of parked cars and foul the area, particularly around the Village Hall. So, the possibility of installing CCTV cameras was discussed. The PC agreed to investigate CCTV options and bring costings to the next meeting.

Action: DJ/KP

13. Maintenance of, & Signage for, the Ditch in the Enclosed Open Space

£30 was approved at the previous meeting for ditch warning signage. However, the PC decided extra signage would be prudent for health and safety reasons, and authorised a reimbursement of £126 to Cllr Pace who had purchased three signs from Signs Express.

The posts to which the signs were attached were redundant from elsewhere in the village. The PC retrospectively authorised £30 to Mr A Hill for concreting in the posts.

Mr Hill had quoted £120 plus VAT to clear out the ditch which was authorised by the PC.

Warning signs for bees were required.

Action: KP

14. Planting Earswick Yellow for Le Tour de France

The options considered included:

- obtaining marigold seeds from the libraries in York;
- planting yellow plants in the Earswick planters;
- planting along the highways grass area – but The Highways Agency would need to be consulted;
- ‘Planting Earswick Yellow’ could be included in the Newsletter;
- The PC could talk to residents along Strensall Road.

The PC agreed to come back to the next meeting with firm proposals.

Action: GO

15. Maintenance of Diamond Wood Sign

The PC authorised reimbursement of £17.16 to Cllr Offler for the purchase of oil for the Diamond Wood sign. The oil will be stored at Cllr Offler’s house so it does not get mixed up with other items in the SG shed.

16. Football Posts & Bench for Football Field

The Clerk reminded the PC that Mr Hill has supplied a quote of £480 (incl VAT) to paint and reset the goal posts. Strensall PC had spent approximately £500 per goal post, £120 per net plus installation costs.

Mr Ian Yeowart agreed to supply the PC with quotes for aluminium posts.

Action JF

The PC agreed a metal bench, not a wooden one, would be preferable for the sports field. The option of moving the metal bench from the path opposite the tennis courts entrance to the sports field, and replacing it with a wooden bench, was discussed.

The PC agreed to obtain firm quotes on moving and resetting the tennis bench, and on purchasing new benches.

Action: GO/JF

17. 2014 - 15 Tennis fees and Rules

The PC agreed to keep the fees at £20 for residents and £40 for non-residents, for 2014-15.

The limit of 10 non-resident members nominated by Earswick residents stands.

The PC agreed to look at the need for weedkilling the tennis court and the condition of the 17 year old concrete base. **Action: PL**

The PC agreed to update the membership rules to say no commercial coaching for remuneration is allowed on the courts. **Action: JF**

18. Approval of 2014-15 Regular/Committed Expenditure

Cllrs Jones and Wiseman signed the schedule at appendix B authorising regular/committed expenditure for 2014-15.

19. Review of the Percentage Split of Insurance Costs between the Parish Council and Village Hall Committee

The PC agreed the VHC should pay 32.5% of the insurance costs this financial year as it had done previously. As no paperwork to support this percentage could be traced, the PC will consider adjusting this next year in consultation with the VHC. Clerk to inform the VHC.

Action: JF

20. Coffee Mornings

The PC agreed to support another six coffee mornings from May onwards, funding the hire of the Village Hall and the tea/coffee. They will occur on the first Monday of each month, 10.30am – 12.30pm in the Village Hall. Biscuits, etc, are supplied free by the Cllrs. Refreshments are free but there will be a tin to collect donations for Marie Curie for three months. The next coffee morning on 7th April will be organised by Cllrs Wiseman and Leveson. **Action:SW/PL/JF**

21. Parish Council Newsletter

The PC authorised up to £50 to Cllr Offler for printing 360 copies of the Newsletter in black and white. **Action: DJ/GO**

22. Items for Information

The area behind the tank in the Scented Garden (SG) is finished and the hedge has been cut.

The VHC is to purchase new mugs with 'Earswick Village Hall' printed on them. The VHC is going to place adverts for hiring the hall on the website www.yourvenue.co.uk.

The meeting closed at 9pm

Joanne Fisher (Parish Clerk)

Signed.....

Date.....

Appendix A

Open Letter to Residents on behalf of Earswick Parish Council

Enclosed Public Open Space

On behalf of the Parish Council I would like to make the following statement regarding the enclosed public open space.

Earswick Parish Council owns the land. The land is designated as Public Open Space as per the Planning Approval and the deeds conveyed to Earswick Parish Council. All Public Open Space (of which there are approximately 30 acres) is given to the Parish Council for care. A sum of money was given to the Council by the developers. This money has been ring fenced and invested to help pay for the maintenance of all the Public Open Space. Section 106 describes this land as Public Open Space for free use of the public.

The land was temporarily fenced at the time of the building of Fosslands for the protection of a suspected live badger set. This has not been present for the past twenty years. It was always the intention of previous parish councils that the fencing would be removed once their condition deteriorated. This is now the case and so as not to incur any further unnecessary expenditure the gates and fencing have been removed.

The Parish Council was not under any obligation to retain this fencing, as it served no practical purpose.

Residents backing onto the enclosed public open space have raised concerns regarding the potential for increased security risk and have quoted selected extracts from Section 17 of the Crime and Disorder Act 1998.

The Parish Council is fully aware of its responsibilities in relation to Section 17 of the Crime and Disorder Act 1998 and as such the council did consult with the local police officer from the Safer Neighbourhood Team prior to making its decision. In his view “**there will not be any discernible difference in reported crime regardless of the status of the land in question.**” It is also worth noting that this area of land is overlooked on both sides by housing whereas this is not the case in the other parts of the Public Open Space where houses back directly onto land open all hours to the public.

In his report to one of the affected residents, Jim Shanks, Architectural Technician for North Yorkshire Police, also points out “**the crime and anti-social statistics for Earswick indicate that crime and anti-social behaviour are not an issue**” in the removal of the gates and fencing.

The Parish Council can only reiterate that any residents whose property backs on to Public Open Space needs to make provision for their own security. If you check the numbers of properties that adjoin Parish Council land or Public Open Space you will see there are many. All these properties have had to make their own security arrangements. It is not the responsibility of the Parish Council to secure residents properties.

The Parish Council would remind the residents who back onto the enclosed public open space

that they are freely able to walk around the other areas of open space within the village where there are residents who have property backing directly onto it. These same conditions apply to the enclosed public open space.

The issue of the fencing and gates was first discussed at the November 2013 meeting of the Parish Council that was held on an evening. 5 residents whose properties back directly onto this area of land attended the meeting. The December meeting was held in the afternoon to enable residents to undertake a site visit to the area. 6 of the residents attending the afternoon meeting have property backing directly onto the enclosed open space. At the meeting in December 2013 it was unanimously agreed to remove the existing fence and gates located at the Scented Garden end of the enclosed 'Public Open Space'.

The Parish Council acknowledged residents concerns about security and asked the Clerk to write to all residents who back onto the enclosed public open space to inform them that the gates and fencing would be removed in March 2014, giving them 3 months notice to take whatever security measures they saw fit, together with the contact details for the local Safer Neighbourhood Officer.

The Parish Council held council meetings in January and February but received no correspondence or objections to their decision to remove the gates at these meetings.

Since then a number of residents, most notably those who back onto this area, have objected to this decision and councillors have received correspondence from several of them to which they have all received replies. A petition has also been received. These will be duly recorded at this meeting. The Parish Council noted the views of those particular residents and those expressed in the petition, but felt that the issues had been fully explored at the December meeting and the decision of the council was taken and our reasons given at that time.

This matter has been discussed over the past years, at length at many Parish Council meetings. All meetings are advertised and agendas displayed in advance in accordance with the Standing Orders of the Council. All Parish Council meetings are held in public as per the protocol of the Parish Council and the governing laws. Those members of the public who could not attend the meetings would have been able to read the minutes after those meetings.

To summarise:

The land in question is designated Public Open Space

Security of individual residents property is the responsibility of the house owner not the Parish Council

The gates and fencing have been removed in line with the decision made at the December meeting of the Parish Council

EARSWICK PARISH COUNCIL - PRE-AUTHORISED PAYMENTS 2014/15

Description	Payee	Total authorised up to & incl VAT £
Maintenance Contract:		
Grass cutting, strimming & weedkilling	A. Hill	7,440 *
Whitelining football pitch	A. Hill	180
Cutting hedges & shrubs	A. Hill	1,092
River side hedge cutting	M Harland	100
Clerk's salary	J Fisher	4,500
Village Hall Boiler Heating Maintenance	British Gas	326
Quarterly Fire Equipt Maint	Advance Fire Services	168
Water Rates	Yorkshire Water	32
Mole treatment	Huntcatchkill PCS Ltd	472
YLCA membership	YLCA	280
SLCC membership	SLCC	110
River Foss Society membership	River Foss Society	20
Audit Fee	Littlejohn LLP	252
Data Protection Licence	Information Commissioner	39
ROSPA	Playsafety Ltd	168
Website Maint	Parish Websites Ltd	210

*includes 4 extra grass cuts to the EOS

Agreed at the Parish Council meeting on 17th March 2014

Chairman.....

D. J. Jones
17.3.14

Councillor.....

~~17.3.14~~
B. W. W. W.