

## HELMSLEY TOWN COUNCIL

### Minutes of the Meeting of Helmsley Town Council held in the National Park Meeting Room on Monday 30<sup>th</sup> March 2015 at 6:30pm

**Councillors Present** Councillors Parkin (Chairman), Fairburn, Marsden, Swift and Vander Weyer.

**Also Present** County Councillor V Arnold, District Councillor G Hawkins, eight members of the public, one member of the press, Ms V Ellis (Town Clerk) and Mrs L Pryor (Assistant Clerk).

#### **Part One – opening business**

##### **1 Apologies**

Apologies were received from Councillors Boulton and Duncombe and the reasons for absence were approved.

##### **2 Code of Conduct**

Councillor

##### **3 Public Comments**

A member of the public addressed the council on concerns about fracking and the threat to the Ryedale's environment, its residents, the landscape, roads, water supplies, and tourism. Erica Rose addressed the council about the Litterpick in March for which over 20 adults and the Scouts turned out. 25 bags of rubbish and 13 bags of recyclables were collected. Concern was expressed about dog fouling and how used dog bags are being discarded.

##### **4 Minutes**

The council resolved to agree and sign the minutes of the ordinary meeting held on the 23rd February 2015.

#### **Part Two – For Information**

##### **5 Exchange of Information and items for next agenda**

- a) Chairman's Report**
- I. Update on Helmsley Recreation Charity.
  - II. Sport; 70% of respondents to the questionnaire distributed to houses in Helmsley had supported the provision of a gym at Helmsley Recreation Charity. A mower has been rented from Ian Wood with an option to buy.
  - III. Old Cemetery. Arrangements are being made to graze sheep.
  - IV. NYCC Highways. No response to enquiries about the carparking review.
- b) Councillor Vander Weyer**
- I. Magna Carta Sunday 14<sup>th</sup> June. Report on events planned so far and Town Picnic in the Castle.
- c) Clerk's Report**
- I. Pottergate to Bridge Street - Public Footpath and Statement No 25.45/16, Helmsley, Ryedale Modification Order. Notice of Local Inquiry received from the Planning Inspectorate. (letter circulated and is on the website). Also email from a resident about the decision to hold an Inquiry.
  - II. Complaint about number and distribution of A-boards on Borogate making vehicular access difficult. Referred to the National Park and NYCC Highways.
  - III. Carlton Lane & Carlton Road – temporary road closure 5 April 0900hrs to 1200hrs for 10k run.
  - IV. Benches around Feversham Memorial – some require replacement seats and maintenance.
  - V. The Assistant Clerk has successfully completed the Finance module of ILCA.
  - VI. Documents received and sent to councillors: Letter/info/emails on fracking from residents, Speed Watch, Helmsley & Kirkbymoorside Police Group Minutes & Agenda, Ryedale February Crime statistics, Safer Neighbourhood newsletter, YLCA White Rose March, NYM LEADER Programme, NYMNP A Planning, Administration and Enforcement Charges, email from local business about car parking in the Market Place and the lack of enforcement for a certain vehicle (11/3/15) – referred to RDC and Scarborough BC, emails about churchyard wildlife area and Borough Beck from a resident.

##### **6 Planning: The following decision notice was received.**

**Application to Fell Trees in Conservation Area** - 8 Leylandii, 1 Cherry and 2 Lawsons Cypress along the southern boundary; 4 Lawsons Cypress along the eastern boundary; and 2 Lawsons Cypress in the rear garden. Mr Phil Crabtree, Cragstone House, Elmslac Close, Helmsley, York, YO62 5AN NYMNP A had no objection and did not consult within the time limits.

## 7 Meetings: The council received reports on the following meetings.

- a) YLCA Ryedale Branch – 24th February 2015 at RDC at 7:00pm. Cllr Duncombe & the clerk.
- b) Helmsley Plan Examination 3<sup>rd</sup> March. Councillor Vander Weyer (submission circulated).
- c) Ryedale Five Towns 10<sup>th</sup> March at Pickering. Cllr Duncombe & the clerk (minutes circulated)

## 8 Finance, Audit and Governance

- a) The council noted that the council has received a workplace pensions staging date, 1 July 2016, from The Pensions Regulator and that the clerk has nominated herself as contact.
- b) The council received the Bank Reconciliation to the 28<sup>th</sup> February 2015.
- c) The council received the Running Budget to the 28<sup>th</sup> February 2015 and to the agenda issue date.

## Part Three – for determination

### 9 Planning and Tree Applications

- a) **Application No.** 15/00096/FUL **Applicant** Forward Developments Ltd  
**Proposal** Erection of a storage and distribution building (Use Class B8), erection of 1.6m high front boundary fence and alteration to existing entrance and parking/turning areas. **Address** Forward Developments Ltd, Station Road, Helmsley YO62 5BZ  
**Decision** No objection. The council considers the fence is out of keeping and would like it screened by a substantial hedge.
- b) **Application No.** 15/00312/HOUSE (retrospective application) **Applicant** Mr D Trousdale  
**Proposal** Replacement of 4no. existing timber single glazed Yorkshire sliding sash windows to front elevation with 4no. timber double glazed Yorkshire sliding sash windows together with replacement of existing four panel front door with part glazed four panel front door  
**Address** 7 Pottergate Helmsley YO62 5BU **Decision** No comment.
- c) **Application No.** 15/00184/CAT **Applicant** Mr N Gray  
**Proposal** To remove two lower branches from the southern side of the crown of a single Beech Tree on the southern boundary of Orchard Close.  
**Address** Orchard Close, Pottergate, Helmsley, YO62 5BY **Decision** No comment.

### 10 Consultations: The council considered responses to the following:

- a) RDC's Community Infrastructure Levy Draft Charging Schedule (CIL). **Decision** No comment.
- b) The Schedule of Main Modifications to the Helmsley Plan. <http://www.ryedaleplan.org.uk/helmsley-plan/helmsley-plan-examination>. **Decision** Councillor M Vander Weyer to submit a response.
- c) RDC – the Licensing Authority's Review of its Statement of Principles under the Gambling Act 2005. **Decision** No comment.

### 11 Meetings and Training

The council resolved that the clerk could attend the SLCC Regional Conference/Roadshow at Durham on Wednesday 3<sup>rd</sup> June 2015 at a cost of £69 plus VAT.

### 12 Local Council Award Scheme<sup>1</sup>

- a) The council resolved to register with NALC for the Local Council Award Scheme Foundation Level, fee £50. (information circulated)
- b) The council resolved to appoint Councillors Duncombe and Marsden to work with council staff with a view to completing the few documents lacking and submitting an application to the YLCA after the April or May meetings at a further cost of £50.

### 13 Assets, Asset and Risk Management and Insurance

- a) The council resolved to donate to Helmsley Recreation Charity the mowers formerly in the shed The Old Cemetery, Asset Value £2,700.
- b) The council resolved to dispose of the Cemetery Shed, Asset Value £300 (listed with the mowers a combined value of £3,000) as it is beyond repair, to be written off.
- c) The council reviewed the Asset Register as of 30<sup>th</sup> March 2015, noted the changes since the April 2014 and recorded a total Assets Value of £94,651.35 and noted the Helmsley Recreation Charity assets of £971,208.17.

<sup>1</sup> Each level of award lasts for four years. No extra costs.

- d) The council reviewed the Risk and Financial Risk Registers and agreed that risks have been identified, assessed and managed.
- e) The council noted the insurance requirements with reference to the Risk and Financial Risk Registers and that the insurance cover for the current year is adequate and will be reviewed before the renewal date of 1 June 2015.
- f) The council ratified additional hours worked by the assistant clerk to undertake a photographic inventory of bins and seats for the asset register.

#### 14 Helmsley Recreation Charity

- a) The council considered if it had met all of its responsibilities as sole managing trustee of Helmsley Recreation Charity No. 5233582 and complied with the requirements of trustees in the Charities Act. (link to <https://www.gov.uk/charity-trustee-whats-involved> circulated) and resolved that it had as it has:
  - Separate bank accounts for the council and the Charity.
  - Filed the Trustees Annual Report and Account for the financial year to 31 December 2013 by the deadline of the 31<sup>st</sup> October 2014<sup>3</sup> – 21 days late due to administrative complications.
  - Arranged for an audit or independent examination of the trust's accounts (as required) – the accounts were audited and verified.<sup>4</sup>
  - Completed all appropriate returns to the Charity Commission's requirements. See above.
- b) The council resolved that the 2014-2015 loan of £10,000 to the charity which was in lieu of grants of 2015-2016 and 2016-2017 be given as a grant with immediate effect in lieu of grants for the aforementioned years.
- c) The council received the Minutes of the Helmsley Recreation Charity Meeting Charity Number 523358 held at Carlton Lodge on December 8<sup>th</sup> 2014 at 6.30pm.

#### 15 Audit

- a) The council received a report that Councillors' Audit for December to February inclusive undertaken by Councillors Duncombe and Swift on the 17<sup>th</sup> March 2015 was satisfactory.
- b) The council reviewed the effectiveness of the Internal Audit and considered that the process was helpful.
- c) The council resolved that it had acted on the recommendations and comments of the Internal Auditor.

#### 16 Finance, Budget and Staff hours

##### Verges

- a) The council received the new NYCC maps showing visibility splays and resolved to amend the contract with Allgardens so that the areas are cut in return for payment from NYCC in 2015-2016.
- b) The council resolved to ratify two decisions taken by the clerk about the verges contract with Allgardens.
  - i) all the grass outside The Limes Play Area was missed off the map and which the council owns was added to the contract with Allgardens at a cost of £49.88 per cut.
  - ii) After consultation with the former clerk an area on the north of Station Road was deleted from the map of grass verges to be cut.

##### Town Entrance Signs

- c) The council agreed to submit three planning applications, discussed how the signs are to be financed and agreed to apply for grants such as LEADER.

##### Staff hours

- d) The council resolved to increase the 30 hours agreed for the additional work for the Magna Carta by another 30.
- e) The council ratified the additional hours worked by the clerk and the assistant clerk for the litterpick day and agreed that the time could be taken in lieu.

<sup>2</sup> Governance & Accountability for Local Councils: A Practitioners Guide 2014, para 2.50, page 25

<sup>3</sup> Trustees Annual Report and Accounts for the year ended 31 December 2014 are not due to be submitted to the Charity Commission until the 31 October 2015.

<sup>4</sup> The Trustees Report and Accounts for the year ended 31 December 2013 were reviewed by the council on the 24/11/14, Minute 20a, page 420.

**Magna Carta**

- f) The council resolved to pay for the chairman and the Trowbridge Town Clerk to have dinner at The Feathers in June when the clerk is on a cycle tour of all the Magna Carta Towns.

**Finance and budget**

- g) The council resolved to add £44,352 to the Income and Expenditure Budgets for 2014-2015 being the s106 monies for the Linkfoot Lane NYM/2013/0609/FL development received from the National Park Authority on the 27th January 2015. The Third Schedule, Open Space Contribution, to be 'used towards extensions and improvements to existing community and leisure facilities at Baxton's Lane, Helmsley'.
- h) The council resolved to ratify the issue of the following cheques between meetings which were signed by two councillors:
- No. 101381 for £17,366.03 (Net £14,471.69 Vat £2,894.34), 2nd March 2015, to S & G M Clements for remedial works at the Bowling Club being s106 expenditure.
  - No. 101382 for £750 (no VAT), 20<sup>th</sup> March 2015, to Ian Wood Garden Services for the rental of a mower by Helmsley Recreation Charity. If the mower is purchased at the end of the season the rental will be deducted from the purchase cost.
- i) Following the discussion at the February Meeting, the council ratified the clerk's purchase of a Glasdon Fido Dog Waste Bin, £84, and a Glasdon Retriever Dog Bag Dispenser (one bag at a time), £89.94 both plus VAT. To be fitted to the fence by The Limes Wood at northern end of Riccal Drive as near to the A170 as possible.
- j) The council considered a grant request from Friends of Moorsbus and deferred a decision as routes information was required.
- k) The council agreed the following payments and the cheques were signed.

			NET	VAT	TOTAL
101381	S & G M Clements Ltd	Bowling club works	£14,471.69	£2,894.34	£17,366.03
101382	Ian Wood	Hire of mower	£750.00		£750.00
	DD NEST	Pension Payments Employer and Employee including back payments	£680.00		£680.00
101383	Acorn Lighting Services Ltd	streetlight repairs	£120.56	£24.11	£144.67
101384	Vision ICT Ltd	website hosting	£115.00	£23.00	£138.00
101385	North Yorkshire County Council	streetlight energy charges 2014-2015	£3,812.17	£762.43	£4,574.60
101386	cancelled cheque	cancelled cheque	£0.00		£0.00
101387	Medics UK	first aiders for Magna Carta	£298.20		£298.20
101388	Yorkshire Local Councils Associations	annual subscription	£388.00		£388.00
101389	NY Branch SLCC	Training Day for clerk & assistant	£30.00		£30.00
101390	The Helmsley Estate	Playing field annual rent	£50.00		£50.00
101391	Helmsley Town Hall Management	room hire x 2 dates	£100.00		£100.00
101392	HPE Printers	Elections leaflet	£55.00		£55.00
101393	V Ellis (Amazon)	Motorola 2-way Radio (pack of 4) and First Aid Kit	£140.20	£24.63	£164.83
101394-6	Salaries March 2015	Salaries March 2015	£1,322.14		£1,322.14
101397	HMRC	PAYE	£131.90		£131.90
101398	Duncombe Sawmill	Wood for bench repairs Mkt Place	£26.94	£5.39	£32.33
101399	V Ellis	Expenses and receipts inc BATA for disposable gloves - litterpick, wayleaves	£59.07	£1.30	£60.37
101400	Glasdon UK Ltd	Dog Waste Bin & Dog Bag Bin	£173.94	£34.78	£208.72
101401	The Helmsley Estate	Wayleave - streetlights	£0.40		£0.40
		<b>TOTAL</b>	<b>£22,725.21</b>	<b>£3,769.98</b>	<b>£26,495.19</b>

**17 NEST Pension Payments and administration**

- a) The council ratified the clerk's Exceptions Payment on the 27<sup>th</sup> February by Direct Debit to clear the overdue employer and employee payments as the company undertaking the administration does not respond to queries by email, phone or recorded delivery letter. (details circulated).
- b) The council noted that the clerk has informed The Pensions Regulator about the reasons for the overdue payments.
- c) The council ratified the authorisation of payment by the clerk by Direct Debit of the March contributions on the 23rd March 2015 so that they are processed within this financial year.
- d) The council resolved that the clerk can set up a contribution schedule on the 21<sup>st</sup> of each month to allow the few days required by Nest to administer the direct debits so that they are processed within the corresponding salary month and the same financial year.

**18 Cemetery**

The council resolved to agree to a request from a resident for a reservation beside the path on the north side of the cemetery so as to be opposite their father.

**Signed**

**Date**