

Minutes
Burton-in-Lonsdale Parish Council Meeting
7.30pm Thursday 25th November 2021
Sports Pavilion, Recreation Field,
Bentham Moor Rd, Burton in Lonsdale

Present: Councillors Handley, Sedgwick, Tate and Thompson (Chair); County Councillor David Ireton, 19 members of public

In attendance: the Clerk.

The Chairman stated he would record the meeting, with everyone's permission, which was agreed. Several members of the public also took the opportunity to record the meeting.

58/2021 **Apologies**

Apologies received from Cllrs Mason and Shaw.

Resolved Apologies and reasons for absence accepted.

59/2021 **Code of Conduct and Recording of Disclosable Pecuniary Interests**

a) Adoption of April 2021 Craven District Council Code of Conduct
The District Council has recommended parish councils adopt the same Code of Conduct that Craven has adopted.

Resolved To adopt the Craven District Council Code of Conduct.

b) To record Councillor's Disclosable Pecuniary Interests relating to this Agenda; changes since previous disclosure to Craven District Council

Resolved There were no pecuniary interests to be declared.

Councillors were reminded to check their Declarations on a regular basis to ensure the Declarations are up to date.

60/2021 **Honorary Freedom of the Parish**

Proposal: to grant recently retired Parish Councillor Kathleen Salrein Honorary Freedom of the Parish in recognition of her long service and commitment to the Parish.

The Chairman informed the meeting Mrs Salrein had served as a Parish Councillor for over 39 years, since May 1982: a huge commitment to the community.

Parish Councillors voted previously to present Mrs Salrein with a token to show their respect for the time and effort she devoted to the Parish Council. It is the first time in this Parish Council and is the highest recognition the Parish Council can offer in recognition of service to the community. A Roll, bestowing the Honorary Freedom of the Parish to Mrs Salrein has been prepared.

Resolved

The Parish Council, in recognition and appreciation of Mrs Salrein's past work for the Council, present a Freedom Roll, bestowing the Honorary Freedom of the Parish to Mrs Salrein.

Resolved

To make a small reception by the Parish Councillors for Mrs Salrein in Spring 2022 at the Village Hall.

The Roll was signed and dated by the Chairman and the Clerk.

The Roll was presented to Mrs Salrein's daughter, Sarah, in Mrs Salrein's absence, to a large round of applause from the public. Sarah Salrein thanked the Council and the public.

61/2021 Minutes of Full Council and Recreation Field Committee Meetings of 12 August, 23 September and 6 October 2021

Minutes of 12 August 2021

These Minutes were not approved at the 23 September 2021 meeting as too few councillors who attended 12 August meeting were present at the 23 September meeting. It is the same at this meeting. Draft Minutes were circulated in good time to Councillors prior to both meetings, allowing opportunities for questions and answers.

Cllr Tate told the Chairman he would abstain from approving the 12 August meeting Minutes, as he chose to leave that meeting before Minute 35/2021 and therefore could not vouch for the accuracy of the Minutes.

Cllr Sedgwick also abstained from voting.

The Chairman indicated some community members felt the Parish Council is being secretive as draft Minutes had not been published online. The public was assured it is not the Parish Council's intention to be secretive; the Minutes will be made available. Previously the Parish Council had been taken to task for publishing draft Minutes, therefore resolving publishing approved Minutes only (Minute 38/2020, 24 September 2020). The Minutes of 12 August will be published after this meeting either in an approved form by councillors present or in unapproved form as draft.

Resolved Minutes of 12 August be published on line in unapproved form.

A detailed 20 minute discussion followed regarding governance, particularly in relation to the meeting of 12th August and the legal case between Harris Garth owners and the Parish Council:

- Minutes of and reasons for decisions
- Who is responsible for approving Minutes
- Publication of unapproved Minutes on line
- Decisions taken outside a meeting
- Code of Conduct and Standing Orders

The following responses were given by the Chairman:

- Councillors are responsible for approving Minutes, not the public.
- Minutes are published to inform everyone what was agreed; they are intended to be a formal record of decisions, not a verbatim record of the discussion. Thus there will be an agenda item and a decision which is all that is required to be published. Minutes may include more detail.

Resolved

A review of the Code of Conduct and Standing Orders be made at the earliest opportunity.

Cllr. Handley proposed and it was

Resolved

Minutes production and publication cycle: the Clerk produces the draft Minutes, circulated to all Councillors, by the end of week one after a meeting. The Minutes then to be published in draft form with amendments (if any), by the end of week two in good time for approval at the next council meeting. This is the way matters were dealt with previously.

Minutes of 23rd September 2021 Full Council

The draft Minutes were circulated to the Councillors prior to this meeting.

Resolved

The Minutes of the above meeting were accepted as an accurate record, to be signed after the meeting.

Minutes of held 6th October 2021 Recreation Field Committee

The draft Minutes were circulated to the Councillors prior to this meeting.

Resolved

The Minutes of the above meeting were accepted as an accurate record, to be signed after the meeting.

62/2021 Public Questions or Statements: see attached conditions

Chairman invited questions about items not on the agenda.

A 30 minute question and answer discussion regarding parish council governance, the motives for the council's objection to Mr Gillibrand's application to extinguish the 1872 restrictive covenant on his property and whether or not the council had taken legal advice appropriately.

The Chairman answered as follows;

a) Governance: the council acted properly, with the powers it has. The draft Minutes were not published, as per its resolution 38/2020 (24 September 2020).

Resolved to rescind the above resolution and publish draft Minutes following the timetable: Clerk to write Minutes and circulate to Councillors for review by end of first week after the meeting. Reviewed draft Minutes to be published on line two weeks after the meeting.

b) Legal matter re Harris Garth: legal advice was taken, on a *pro bono* basis.

Resolved

No further action regarding the Harris Garth garden will be taken by the Parish Council.

The Chairman invited other public questions or statements.

Platinum Jubilee 2022

Mr Lavelle has noted the Parish Council has agreed to put a beacon on Castle Hill to commemorate the 2022 Jubilee (70th anniversary of Queen Elizabeth ascending to the throne). Is it the intention of anyone on the Parish Council to organise entertainment for the village? Will the Parish Council organise a village street party?

Cllr Tate suggested Council members could be co-opted on to a committee to organise the event.

Resolved

The matter be discussed at the next Parish Council meeting on 27 January 2022 or before, if it is considered necessary to meet sooner regarding this matter.

Electricity Supply in the Village

Mr Owen cited the recent serious power outage in Manor Close and a section of the High Street, on 20-22nd November and again on 24th November in the High Street. 20-22 November saw some properties were without power for more than three days. There were also problems when power was restored, when appliances, etc. exploded. This is frustrating, as the council was re-assured in 2014 that additional resilience was being built into the local network. The work was done; the power supply appeared more reliable. Mr Owen requested a representation be made to Electricity Northwest to remind the company it is being monitored regarding on-going resilience, not only to safeguard the current supply matters, but also to protect supply for future use when everyone will be reliant on the

electric supply for all uses, as encouraged by the drive toward carbon zero for all uses including domestic use, superfast broadband and telephone, vehicles, etc. Peter Thompson, a former employee of Electricity Northwest offered to liaise between the Village and ENW. The Chairman, on behalf of the village, gratefully accepted the offer, and will discuss further outside the meeting.

63/2021 County and District Council

Bus Service No. 80

County Cllr. Ireton: the commercial bus service 80 Ingleton-Lancaster will be withdrawn by Stagecoach on 31st March 2022 (put back from 1st January 2022); lack of use has led to this decision. There are no Lancs or North Yorks CC subsidies. However the two county councils are working together to continue the service until March 2022 and will explore how the service can be retained e.g. through feeder or smaller buses, etc. The service must be used, to retain it.

The following points came from the floor:

- even though a large bus starts empty at Ingleton, by the time it gets to Lancaster full.
- Provision of a community bus
- some years ago, there was a North Yorkshire community bus.

a) Council re-organisation: online briefing sessions 1st & 3rd December

Cllr. Ireton reported: the Statutory Order for the formation of the new Unitary authority will be published by Westminster about February 2022. There will be 89 divisions (up from current 74) and 90 councillors (the 2-member ward is Selby). The new name for the authority is likely to be North Yorkshire Unitary Authority (NYUA). North Yorkshire will be a continuing authority with 14,000 employees, with straight forward transfer of employees to the new authority. The Chairman thanked Cllr. Ireton for his report.

b) “20s Plenty” Action Network campaign: proposed motion

“This parish council supports the implementation of 20mph as the default speed limit for our parish and in all the urban and village streets in North Yorkshire where people live, work, shop, play and learn. This parish council will write to the Leader and Cabinet Member for the Highway Authority (currently North Yorkshire County Council) to implement a County wide policy on this issue to support 20mph as the default limit with higher limits only where the needs of vulnerable road users are fully taken into account”

The Chairman explained parish councils have been approached by a campaign group to support the above motion and read out the motion to the meeting.

Councillor comments:

- enforcement, from Burton’s experience, may be a problem.

Comments from the floor:

- Would the parish council write to the companies whose (large) vehicles travel through the village over the speed limit, particularly after 10pm?
- How is the ‘village’ defined as it varies across the county (e.g. Ingleton vs Burton).

The Chairman asked the meeting if supports writing to the County Council regarding speed limit, including the above statement.

Resolved The council to write to the County Council as above.

The Chairman concluded the item, saying the village’s 20mph speed limit probably does have a beneficial effect, based on the vehicle activated sign (VAS) data. However there are exceptions, particularly at quieter times of the day.

- c) Parish Council request to NYCC to consider suggestions for measures to help reduce the number of speeding vehicles

The Chairman reported that, at the request of a resident, he visited their home to discuss speeding through the village, following which he wrote to '95 Alive', North Yorks Police about traffic speeds in/through the village; this should have been discussed at a public parish council meeting; the council then should have decided whether or not to do anything, instructing the Clerk as to what that would be. The Chairman now comes to the meeting to inform it about the resident's contact. Fortunately, it is at a site previously approved for the VAS. The VAS was installed; it has recorded vehicle speeds at the location; the data was sent to '95 Alive' and the police. There has been no response. The Chairman apologised for taking action before discussion at a Council meeting.

The Chairman advised that the more people who contact '95 Alive' and the Police about traffic speeds, the better.

Resolved

To follow up the Chairman's initial approach to '95 Alive' and NY Police

- d) Planning Matters

Applications:

2021/23447/TCA: 4 Chapel Lane, Burton In Lonsdale – tree work

The Clerk explained that tree work permissions are not usually informed to the parish council.

Permissions to note:

2021/23251/FUL: Kepp House, Barnoldswick Lane, Burton in Lonsdale

The Clerk informed the meeting of a telephone call (24 November 2021) from North Yorks Highways, apologising, for not responding to this application; it appears it was not consulted in the first instance, although the conditions include highways matters. A site visit may be undertaken when next in the area to confirm the permission is correct, regarding Highways matters.

2021/23269/HH: Tatham House, Low Street: Demolition of existing detached garage followed by erection of single storey workshop, store

- e) Bus Service 80 Ingleton-Lancaster: cessation of Stagecoach bus operator involvement; future provision: see above Minute.
- f) 2022 Local elections: to be administered by Craven District Council as per usual; costs may apply
All the parish councillors are due to stand down in May 2022; if any wish to stand for re-election they can do so. If more than the seven seats are contested, there will be costs to the Parish of about £700-800. Cllr. Ireton further clarified these costs may absorbed into the District Council elections which are held at the same time.

64/2021 Application to remove Restrictive Covenant by owners of Harris Garth 8 High Street

To note: following legal advice the Parish Council has withdrawn its objection to the application to remove the Restrictive Covenant re Harris Garth, 8 High Street, Burton in Lonsdale

The Chair informed councillors that no decision is required of them at this meeting; only to note the above.

65/2021 Village Green

Statement re Village Green and the 2013 Caution Against First Registration

referring to the gravelled path adjoining the east side of the Village Green between High Street and the now listed church gate.

A resident's statement was received prior to the meeting; the resident was invited to speak.

Mrs Hornyold-Strickland requested clarity regarding use of the gravelled path along the east side of the Village Green so that residents are able to walk along the path to access the Church through the gate and access the Village Green.

The Chairman stated he always assumed this is the case, owing to the presence of the gateway to the Church, recalling when Galas were held the processions would start on the gravelled path area, proceeding through village to the Recreation Ground (he has a film of the event).

Cllr. Tate: opined it may be an issue with not immediately obvious implications. However, as far as he is concerned there is no issue, as one can walk down the path. The gate in the church wall is at the end of the path. It does get some use as it is the quickest way to the section of the churchyard where ashes are interred.

The Chairman's understanding is that it has been used regularly and would expect it to be used for those purposes.

Mr Gillibrand informed the Council that is an issue and would not elaborate; when he first moved to Burton (late 2015) he knew of the long-standing disputes about the garden and the gravelled path outside Harris Garth and made proposals, which appear not to have been taken up; a request was made in 2020 for the Council to lift its Caution Against First registration (see Minute 40/2020, 24 September 2020). The council declined. He sees no alternative but to apply for adverse possession of the area. He does not consider the 'path' term to be correct, as in his opinion it is a driveway for Stone Bower over 150 years. He is sure he can accommodate what people wish to do.

The Chairman thanked Mr Gillibrand for his comments.

Mrs Hornyold-Strickland asked if the path is for the exclusive use of Harris Garth. It is an historical pathway from the Village Green and is access to the churchyard.

Mrs Whitfield cited a c1908-10 photograph showing a coach house adjacent to the Church, access to which was along the gravelled pathway. The church will be putting in an accessible path alongside/inside the church railings in 2022, as the gate is not usable by wheelchair users or prams.

Mrs Hornyold-Strickland repeated her question as to whether the path was to be for the exclusive use of Harris Garth.

Mrs Whitfield did not say it was for the exclusive use of Harris Garth.

Cllr Tate added that undertakers sometimes use the path.

The Chairman thanked everyone for their input; it has the potential for another cause of conflict which people should try to avoid.

Mr Gillibrand was disappointed the matter had not been resolved; the Chairman acknowledged this, saying the council had attempted to work with Mr Gillibrand, however ending unexpectedly in legal action, Mr Gillibrand disagreed.

Cllr Tate suggested the meeting move on; the Chairman agreed.

Mr Whitfield raised three points about the Village Green:

- At the church end of the road running diagonally across the Green, the grassed area has broken up, due to vehicles parking on that corner. He suggested the area is made suitable for limited use by vehicles using the church
- At this time of the year the grass is very muddy; a wheelchair user wishing to visit the war memorial is not able to; could an access path be made to the Memorial at the same time as making good the parking area

in front of the church?

- The Green appears to be a dogs' 'convenience'; there is a lot of dog's fouling present. Dogs are allowed to exercise on the Green, and owners do not clean up after them.

Resolved

To put on the next meeting's agenda: consideration of improvements to the Village Green.

66/2021 Finance Matters

a) 2022-23 Budget and Precept

- i. Finance Committee recommendation: the annual precept for 2022/23 be maintained at £18,000

The Finance Committee reviewed 2021-22 expenditure to date; it is broadly in line with the budget. The Committee also looked at likely expenditure for 2022-23 and are minded to maintain the precept request at the same level as the current year. This has been clarified as £17,500.

Resolved

To request the annual precept for 2022-23 be £17,500, the same as for 2021-22.

- ii. To formally adopt grass cutting in the following areas: the Orchard, the village entrance signs

The Burton Pals with Trowels Group has previously maintained the grassed areas in The Orchard and at the village entrance signs; the volunteer is unable to continue; the group has requested the Parish Council include these areas in its grass cutting schedule. It is unclear the extra time would be added to the contractors' time, nor the cutting frequency; the council's contractor is paid on an hourly basis. It is easy for the council to ask the contractor to include these areas in his scope of work. Previously Pals with Trowels has requested financial support from the Parish Council.

The Chairman proposed the additional areas be adopted, monitoring how much time it takes; Pals with Trowels are requested to work with the Parish Council regarding frequency of grass cuts, letting the council know if they feel it is not done frequently enough.

Resolved

To adopt the additional areas of the Orchard and the village entrance signs in the grass cutting schedule.

A question from the floor: how often is the closed churchyard cut?

The Chairman explained it is cut occasionally, letting it grow during the flowering season, having been asked specifically to allow wild flowers to develop. Also, part of the year a path is cut between the Chapel Lane gate and the Lych gate. When the grass gets impassable, the whole area is cut; it was not cut at the end of the 2020 season. It is the council's intention to cut the closed churchyard's grass, not to lawn standard, but to encourage wild flowers.

The Chairman summarised: the public would like to see the area cut more frequently; the current policy is to respond to villager's requests to manage the churchyard in order to encourage wild flower growth. Unfortunately, the final cut of the 2021 season has not been done.

b) Bank balances, including receipts since statement date

The Chairman reported the balances held are healthy. The figures have been shared with councillors (see appendix).

The current high balance results from the receipt of COVID related grants; the Chairman personally thanked David Taylor for bringing to his attention the availability of the grants for premises, through his work for the Village Hall. The

money, total is £28,886.00, is in reserves waiting for suitable projects. The remaining balances do not include the likely future cost of the Multi Use Games Area refurbishment which is estimated at about £30,000, of which it would be hoped 75% could be funded through grants available for such a purpose. No formal decision regarding the refurbishment has been taken as yet.

The Village Street Party organisers were invited to consider applying for funding from the general fund.

c) Approval of payments of budgeted and non budgeted items

A list of payments was circulated to councillors prior to this meeting

Resolved

To pay the following items:

chq #	<u>Payments October-November 2021</u>	
2566	H S Gates: refund of donation	5,000.00
D/D	Octopus Energy re pavilion electricity Oct 2021	62.84
2567	GB Building and Electrical Contractors Ltd re pavilion	586.76
2568	Crabtree Christmas Trees: tree for village green	225.00
2569	Roadware Ltd: spare key for litter bin	19.14
2570	CommuniCorp: freedom scroll for KTS	148.56
2571	M Illsley: maintenance items for Rec Field	37.92
2572	J Lawson Electrical Ltd: electric work re Bowling Club House	1,377.02
2573	E Higton: Xmas tree lights equipment	75.00
2574	S Gregory: salary, expenses Nov 2021	196.67
2575	C Edmondson: pavilion cleaning Nov 2021	30.00
		7,758.91

In light of the Finance Committee meeting being cancelled, the financial information was reviewed individually by councillors and fed back to the Chairman; based on the information, it was considered acceptable to propose the same precept as 2021-22.

Mrs Whitfield requested that, in view of the Council's apparent healthy financial position, could the Council consider allocating money for improvement of the Green, the Lych Gate repairs and closed churchyard maintenance.

67/2021 Recreation Field Committee

a) To note the minutes of the Recreation Field Committee meeting held on 6 October 2021 and to approve recommended actions

The Recreation Committee has made proposals to full council e.g. replacing defibrillator pads, (within the Clerk's authorisation limit of £200).

Drainage works outside the MUGA are being considered in addition to replacing the playing surface; an estimate not yet obtained; the price will depend on whether the council does the work itself with volunteers, or engages a contractor.

The Bowling Club's cabin was flooded in early 2020; this was due to Jingling Gill over-flowing into Bentham Moor Road, and the water finding its way downhill to the Recreation Field. Since then the car park entrance has been raised, at considerable expense, to divert any run off back into the road. The Jingling Gill trash gate at the roadside field gate should be monitored regularly to keep clear of debris.

The Chair proposes K. Hunter (very experienced drainage contractor) is approached, to give an estimate for the drainage works. A second quote will be sought, at the request of the public.

- b) Grounds, Outdoor Equipment and Pavilion: inspection reports; maintenance
The annual safety inspection was done in late August; it highlighted a significant list of mostly very minor items; most of the items have been addressed as of this meeting.

Councillor Tate enquired about the Village Hall's defibrillator which is not working; the Clerk confirmed a new battery has been ordered; the company has not yet replied. This will be followed up.

68/2021 Items to be included by Clerk in press release
No report.

69/2021 Date, time and venue next monthly Parish Council meeting
27th January 2022: full Council meeting
24th February 2022: Recreation Field Committee
24th March 2022: full Council meeting

The meeting ended at 21.37pm

Signed

Dated

Appendix

Finance: November 2021

Bank Balances, including receipts

Current Account at 15.11.21		300.00
Business Reserve A/c at 15.11.21		<u>57,171.17</u>
		57,471.17
Receipts 15 October - 15 November 2021	<u>5,537.41</u>	
HMRC refund £14	14.00	
H Fawcett	40.00	
H S Gates donation re UTLC case	5,000.00	
Interest	0.48	
J Stead re pavilion booking 31.10.21	40.00	
A Hack: donation re tennis court	50.00	
RHI payment re ASHP (Feb 2020 to Oct 2021)	<u>392.93</u>	
Less unrepresented cheques at 15.10.21		187.14
		57,284.03

Commitments as at 15th November 2021

COVID re-start projects Rec Field	26,886.00	
Very Old and Separate Churchyard:		
Lych Gate Restoration grant	200.00	
Safety Notice, memorials (400) & 190	552.75	
Clerk's Retirement Gratuity provn (3% gross annual salary) (ye 2018 2225.70; ye 2019 2297.51)	2,380.29	
Village Cricket & Sports Days surplus (2017-2019) for future events	346.22	
VE Day Commemoration Group re 75th anniversary	400.00	
First Responders donation on hold		844.25
Rural Watch Scheme	200.00	
Budget remaining as at report date	<u>5,042.93</u>	
	36,008.19	
General Reserves at 15.11.21		21,275.84
Contingency Fund within General Reserves (resolution 12/11/18)		<u>5,000.00</u>