



Fulford

Parish Council

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Minutes of the Meeting of Fulford Parish Council on Tuesday 13th June 2023 at 19:30 held in The Old Library, Fulford Social Hall, School Lane, York, YO10 2LS

Present: Cllr. Simon Marsh (Vice-Chair); Cllr. Vivienne Clare; Cllr. Mary Urmston; Cllr. Andrew Vevers; 2 members of the public and the Clerk.

23045. Chair's welcome

In the absence of the Chair, the Vice-Chair, chaired the meeting, welcomed all present and carried out introductions for members of the public in attendance.

23046. To receive apologies and approve reasons for absence

Apologies were received and reasons for absence approved for Cllr. Aspden, Cllr. de Vries and Cllr. Koprowska.

23047. To receive any declarations of interest

No interests were declared.

23048. To receive and approve the Minutes of the Extraordinary Meeting of the Parish Council meeting held on 27th April 2023, the Minutes of the Annual Meeting of the Parish Council held on 9th May 2023 and the Minutes of the Ordinary Meeting of the Parish Council held on 9th May 2023.

The Minutes of the Extraordinary Meeting of the Parish Council meeting held on 27th April 2023, the Minutes of the Annual Meeting of the Parish Council held on 9th May 2023 and the Minutes of the Ordinary Meeting of the Parish Council held on 9th May 2023 were approved as a true record.

23049. To consider any applications for co-option to the Parish Council

One prospective candidate had emailed the Clerk and their application would be considered at the next Parish Council meeting pending receipt of formal application and advice from YLCA. Another potential candidate was also in attendance.

23050. To receive and consider Parishioners' Questions:

Correspondence Item f. in Appendix 1 was considered within Parishioner Questions. It was RESOLVED that the Parish Council would not request replacement of the grass verges with hard surfaces along Fordlands Road or other areas within the parish but that an item on verge parking would be included within its next newsletter to discourage future instances. It was noted that Eastward Avenue and Fordlands Road had particular issues with verge parking.

23051. To note correspondence received at Appendix 1 and decide if any action is necessary

The following correspondence was noted and decisions taken:

a. Resident Email relating to verges along Fordlands Road and car parking.

Discussed at Item 23050 above.

b. Email relating to Yorkshire Marathon road closures for 15 October 2023.

Noted.

c. Email from Martin & Co relating to upcoming changes to lettings and the Renters' (Reform) Bill

It was noted that there would be little impact on the Parish Council's property from the reforms.

d. NALC Correspondence

The following NALC Correspondence was noted, no action was deemed necessary:

- i. Chief Executive's Bulletins dated 12th & 18th May and 1st & 8th June.
- ii. Newsletters dated 10th, 16th, 24th, 31st May and 7th June.

e. YLCA Correspondence

The following YLCA Correspondence was noted, no action was deemed necessary:

- i. White Rose bulletins dated 19 May and 2 June.
- ii. YLCA Councillor log in update.
- iii. Planning call for evidence.
- iv. Consultation on onshore wind local partnership development.
- v. Email re student research dissertation.
- vi. Law and Governance Bulletin May 2023.

23052. To consider and confirm any decisions taken using delegated powers listed at Appendix 2

The following decisions taken using delegated powers were confirmed:

- a. Decision taken 26 May 2023: It is RESOLVED to instruct the legal advisors to send the response as drafted and circulated on 25th May 2023 in relation to CO/1614/2023 - Fulford Parish Council v City of York Council 100-102 Main Street.
- b. Decision taken 8 June: It is RESOLVED to send the second request for revocation in relation to 22/01502/FUL – for “Single storey rear and side extension and erection of 2no. rear garden outbuildings for additional living space. 151 Main Street Fulford York YO10 4PR as drafted and

23053. To consider the Annual Governance Statement for 2022/2023 for approval by resolution

It was RESOLVED to approve the Annual Governance Statement for 2022/2023. The Annual Governance Statement for 2022/2023 was signed by the chair of the meeting and the Clerk.

23054. To consider the Accounting Statements for 2022/2023 signed by the RFO for approval by resolution

It was RESOLVED to approve the Accounting Statements for 2022/2023.

23055. To ensure that the Accounting Statements are signed and dated by the person presiding the meeting.

The chair of the meeting signed and dated the Accounting Statements.

23056. To set the period for the exercise of public rights to include on the Notice of Public Rights & Publication of Unaudited Annual Governance & Accountability

It was RESOLVED to set the period for the exercise of public rights to include on the Notice of Public Rights & Publication of Unaudited Annual Governance & Accountability between 15th June and 20th July 2023.

23057. To confirm that in accordance with the Accounts and Audit Regulations 2015, the Local Audit (Smaller Authorities) Regulations 2015 and the Transparency Code for Smaller Authorities, Fulford Parish Council will publish the following documents on a public website:

- Annual Internal Audit Report 2022/2023,
- Section 1 – Annual Governance Statement 2022/2023 (Unaudited & Audited upon receipt),
- Section 2 – Accounting Statements 2022/2023 (Unaudited & Audited upon receipt)
- Analysis of variances
- Bank Reconciliation to 31 March 2023
- Notice of the period for the exercise of public rights and other information

It is RESOLVED that in accordance with the Accounts and Audit Regulations 2015, the Local Audit (Smaller Authorities) Regulations 2015 and the Transparency Code for Smaller Authorities, Fulford Parish Council will publish the following documents on a public website at www.fulfordparishcouncil.org.uk:

- Annual Internal Audit Report 2022/2023,
- Section 1 – Annual Governance Statement 2022/2023 (Unaudited & Audited upon receipt),
- Section 2 – Accounting Statements 2022/2023 (Unaudited & Audited upon receipt)
- Analysis of variances

- Bank Reconciliation to 31 March 2023
- Notice of the period for the exercise of public rights and other information

23058. To receive and consider a report from the Ward Councillor and decide on any necessary action
Deferred.

23059. To receive and consider any report from the Police and decide on any necessary action

The Police reports were noted and it was further noted that a drop-in session was held on Sunday 11th June at Fordlands Road which the Clerk had publicised through the website and Facebook. It was noted that there was large graffiti on the Stone Bridge and it was RESOLVED that the Clerk would report it to CoYC.

23060. Financial Matters

a. To approve the payments presented for authorisation

It was RESOLVED to approve the following payments and authorise the online payments with Unity Trust:

It was REJECTED to approve the following payments and address the online payments with Emily
 13 June 2023 (2023-2024)

Fulford Parish Council
DRAFTPAYMENTS LIST Voucher 37 to 999999

Voucher	Cheque	Name	Description	Amount
54	DD&CR	Martin & Co	MSJ Damp Contractor Survey	60.00
		Damp Survey Fee for damp on landing ceiling		
55	DD&CR Martin&Co	Martin & Co	Cemetery Lodge Apartment Rent Guarantee Fee	31.20
56	DD&CR Martin&Co	Martin & Co	Property Management Fee	75.60
37	DD10 TalkTalk Cemetery	TalkTalk Business	Broadband and Phone Payment	36.61
59	DD10 TalkTalk Cemetery	TalkTalk Business	Broadband and Phone Payment	45.29
50	DD11 Plusnet SH	Plusnet	Broadband and Phone Payment	32.28
42	DD12 Clover	Clover (Fiserv/First Data)	Chip & PIN Machine Service Charges & Fees	84.13
47	DD14 Gas SH	SSE Energy Solutions	Gas Charges	352.07
48	DD15 Gas Cemetery	SSE Energy Solutions	Gas Charges	140.42
49	DD16 SSE CEM	SSE Energy Solutions	Electricity Charges	58.90
39	DD18 (9017085101)	Business Stream	Water Rates Payment	61.58
57	DD2 BusRates	City of York Council	Business Rates Monthly Payment	918.00
52	DD3 DBC HP	HP Instant Ink	Monthly Subscription Payment	4.49
51	DD4 GiffGaff	GiffGaff Ltd	Mobile Phone Charges- Clerk	6.00
53	DD5 DBC Microsoft	Microsoft Ireland Operations Ltd	Monthly Subscription Payment	22.56
38	DD8 Smart Cleaning	Smart Cleaning Group Limited	Commercial Cleaning Charges	396.00
58	DD8 Smart Cleaning	Smart Cleaning Group Limited	Commercial Cleaning Charges	396.00
41	DD9 Fuel Genie	Fuel Genie	Cemetery Vehicles Fuel Charges	236.02
68	EMP BP HMRC	HM Revenue & Customs	Monthly HMRC Payment	3,385.85
66	EMP BP NY PF	North Yorkshire Pension Fund	Monthly NYPF Payment	3,435.98
67	EMP PC & CEM	All Employees	Net Salaries	10,555.55
40	IDB	Ouse & Derwent IDB	Drainage Rate	36.05
43	P2024-0012 BP	Crockey Hill Lawnmowers	2 x KAAZ LM5360 Rotary Mowers, Grass Bags & Operator Manuals	2,400.00
44	P2024-0013 DBC	Zoom Video Communications Inc	Annual Subscription Fee	119.90
45	P2024-0014 BP	Elcocks Ltd	PPE Clothing	51.54
46	P2024-0015 BP	JG Skip Hire York	Skip Hire	282.00
62	P2024-0016 BP	SLCC	Annual Subscription Fee	279.00
63	P2024-0017 BP	Hutchinsons Crop Production Specialists	Weed Prevention - Azural 20l	177.60
64	P2024-0018 BP	Institute of Cemetery and Crematorium Management	Annual Subscription Fee	95.00
65	P2024-0019 BP	Yorkshire Internal Audit Services	Audit - Final Internal Audit	395.00
61	P2024-0020 BP	Signs Express (York) Ltd	Lecturn Style A1 Information Board - Village Green Tansy Beetles	1,560.00
69	P2024-0021 BP	Sleightholm Landscapes	Grass Cutting Charges	930.00
		Fordlands Road 48% = £372		
		School Lane 36% = £279		
		Village Green 16% = £124		
60	PWLB	PWLB Lending Facility	Bi-Annual Public Works Loan Repayment	3,483.45
			TOTAL	30,144.07

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b. To note the receipts presented

The following summary of receipts to date was noted.

Fulford Parish Council					
Summary of Receipts					
Summary - Cost Centres Only					
Cost Centre					
					RECEIPTS
PC1 Parish Council Income					26,688.65
RESCAP2 Parish Council Capital Income					
PC3 Parish Council Admin & Office Expenditure					
PC4 Parish Council Grants					
PC5 Parish Council Open Spaces					
PC6 Parish Council Planning					
PC7 Parish Council Projects					
PC8 Parish Council Social Hall					
zPC9 Parish Council Staff Expenditure					
TNCY1 Parish Council Tenancy Account					2,100.00
RESCAP1 Parish Council Capital Expenditure					
CEM1 Cemetery Income					37,984.50
CEMCAP2 Cemetery Capital Income					
CEM3 Cemetery Admin & Office Expenditure					
CEM4 Cemetery Health & Safety					
CEM5 Cemetery Maintenance & Overheads					
CEM6 Cemetery Miscellaneous Expenditure					
CEM7 Cemetery Property Maintenance & Repairs					
zCEM8 Cemetery Staff Expenditure					
CEMCAP9 Cemetery Capital Expenditure					
VAT					
NET TOTAL					66,823.15
Total for ALL Cost Centres					66,823.15
V.A.T.					938.22
GROSS TOTAL					67,761.37
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Following consideration of the report from the Planning working group, the following decisions were taken:

a. New applications

- i) 23/01064/TCA | Various tree works including the felling of 1no. Acer, 1no. Laburnum and 1no. Birch - tree works in a Conservation Area. | Sandyfield 141 Main Street Fulford York YO10 4PP**

It was RESOLVED there were no objections.

- ii) 23/01041/TPO | Fell 1no. Lime tree; crown thin by up to 30%, and crown reduce 1no. Oak - protected by Tree Preservation Order no. CYC377. | 34 School Lane Fulford York YO10 4LS**

It was RESOLVED to object on the following grounds:

- Lack of information – no reasons are provided to justify the felling of the Lime or crown reduction of the Oak;
- The well established Lime tree is of high amenity value and two previous applications to fell it were both refused (Ref: 18/00042/TPO & 20/02177/TPO). This emphasises the need for full arboricultural reasons to be provided.
- Permission was granted in 2020 to crown reduce the Oak (20/02177/TPO) therefore it is surprising that a further reduction is necessary.

- iii) 23/01043/TCA | Crown reduce 1no. Maple by up to 50%; crown reduce 1no. Persian Ironwood tree to previous cut points and trim annual extension growth on 1no. Hornbeam - tree works in a Conservation Area. | 34 School Lane Fulford York YO10 4LS**

It was RESOLVED to object on the grounds of inadequate information. No location plan is provided to illustrate the size or position of the trees in question and without good arboricultural reasons, a 50% reduction of the Maple could be excessive.

- iv) 23/00759/FUL | Single storey side extension and porch to front | 29 Cherry Wood Crescent York YO19 4QL**

It was RESOLVED there were no objections subject to any boundary issues with the neighbour being resolved.

- v) 23/00505/FUL | 2no. dormers to front | 23 Cherry Wood Crescent York YO19 4QL**

It was RESOLVED there were no objections.

b. Ongoing applications

- i) 22/01502/FUL | Single storey rear extension and erection of 2no. rear garden outbuildings for additional living space | 151 Main Street Fulford York YO10 4PR.**

It was noted that the renewed request for revocation was sent to Mr Gilchrist on 8th June.

- ii) 23/00283/FUL Fulford Flood Alleviation Scheme Pt Fulford Ings And Pt Playing Fields Selby Road York**

No update.

- iii) 23/00581/FUL | Change of use from restaurant (use class E) to 2no. one bedroom apartments (use class C3), demolition of existing rear extension and associated external alterations | 77 Main Street Fulford York YO10 4PN**

No update.

iv) 21/01071/FUL | Variation of condition 2 of permitted application 18/02129/FUL to revise the site layout with regards to parking and external amenity space of the properties | Land Adjacent To 141 Broadway York

It was noted that the application was listed for Planning Committee B on 14th June, having been called in by Cllr Aspden over a year ago. It was noted that the application is recommended for approval. It was RESOLVED to request deferral for the plan to be included with conditions in the new planning permission. Cllr. Urmston agreed to attend to make the request on behalf of the Parish Council.

c. To consider exclusion of the press and public from the discussion of any aspect of item 23061.d by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960.

It was RESOLVED to defer the item to the end of the agenda for exclusion of the press and public but the minutes will record the decision in number order.

d. To consider any update of proceedings relating to 22/02437/FUL. Conversion of Nos. 100-102 to provide 4no. dwellings with external alterations and extensions. Redevelopment of outbuildings at rear to provide 1 no. dwelling and parking. 100 Main Street Fulford York YO10 4PS and decide on any further action

It was RESOLVED to proceed in accordance with the recommendations from the Clerk made following consideration of legal advice.

e. To note the following LPA decided applications

The following LPA decisions were noted.

23/00728/CPD | Certificate of lawfulness for proposed development of single storey rear extension and dormer to rear | 57 Bishopdale Way York YO19 4AE -Certificate granted

23/00549/TPO | Reduce 2no. branches from 1no. Oak by 4 to 5 metres; reduce two branch stubs - works to tree protected by Tree Preservation Order no. 15/1985. | 2 Atcherley Close York YO10 4QF - No objections from LPA

23/00504/FUL | Single story flat roof rear extension and extension to rear dormer (resubmission) | 85 Cherry Wood Crescent York YO19 4QL – Approved

23062. To receive and consider an update on matters pertaining to the Germany Beck Liaison Advisory Committee (LAC)

It was noted that the meeting scheduled for 22nd May was cancelled on the afternoon of the day of the meeting but no postponed date had yet been arranged. The Clerk agreed to follow up with Persimmon for a rescheduled date.

23063. To receive and consider any update on the Local Plan Examination (Phase 1) and decide on any necessary action

No update.

23064. To receive and consider a report from the Cemetery working group and decide on any necessary action

It was noted that a Cemetery Committee meeting had been scheduled for 19th July and a working group meeting will need to be held before that to decide on the agenda for the Committee meeting and to discuss any issues for recommendations to the Committee.

It was further noted that a report and quote had been received from the letting agent's damp contractor. It was RESOLVED to instruct them to proceed in accordance with the quotation.

23065. To receive and consider a report from the Open Spaces working group and decide on any necessary action to include:

It was noted that an Open Spaces meeting hadn't taken place but that Cllrs. Koprowska and Vevers had toured the open space areas.

Cllr. Vevers expressed a wish to survey the trees within the parish outside of the Conservation Area to identify prospective specimens for TPO applications. It was agreed that the Open Spaces working group would propose the idea to the Greener Cleaner Fulford Community Group to appeal for volunteers to collaborate with the council to carry out a survey.

a. Allotments

It was noted with dismay that there had been a break-in and vandalism at the allotments and that a mark-up event had been arranged with the Police on the site for 1st July.

Following consideration of the condition of the allotments it was RESOLVED to purchase a long tape measure to plot out the boundaries for each allotment, to retain the deposit for Plot 18 and enquire if the Cemetery staff have capacity to clear Plots 18 and 23 without removal of the topsoil or whether a contractor will need to be instructed. It was noted that Plots 16 & 17 may need some additional work and it was agreed that the Clerk would contact the holders of those plots.

It was further noted that the Clerk has not had capacity to manage allotments administration over recent months and has not so far been in a position to train the Cemetery Assistant in the admin tasks but that the waiting list members will be contacted for the two vacant plots shortly. A member of the public informed the council that Low Lane allotments in Heslington had some vacancies. It was agreed to inform the waiting list members at the end of the list about the possibility of an alternative site.

Apiary area: there is one hive left on the apiary area. The Clerk reported that the rent had not been paid for that plot and that attempts to contact the plot holder had failed. It was RESOLVED to contact the plot holder one last time to inform that unless the council has heard from them within 28 days and the rent arrears brought up to date, the council will contact the British Beekeepers Association to arrange safe removal of the hive. It was agreed that the plot holders would be consulted about cleaning up and future use of the apiary area.

b. Fordlands Road

No update.

c. Parish Field School Lane

It was noted that the response to Paul Forrest had met with a number of requests for additional information/clarification. The Parish Council position had not altered but it was agreed to invite all councillors to the next Open Spaces working group meeting to discuss any response to the additional queries raised and to query the reasoning behind any proposed deviation from the Public Consultation Option C previously supported by residents and by the Parish Council. It was RESOLVED to schedule an extraordinary meeting for 24th July to ensure that members of the public can attend to hear any debate and to invite Paul Forrest and Paul Ramskill to attend.

d. Play Equipment

No update.

e. Village Green

It was noted that the Carstairs Countryside Trust gate had not yet been replaced. It was agreed to add re-consideration of the council's position on the gate to the next agenda as more than 6 months will have passed since the previous decision.

f. Tree Survey

It was noted that Cllr. de Vries had supplied contact details for a tree survey in addition to the ones the Clerk had suggested and requests for quote will be requested before the next meeting.

23066. To receive and consider a report from the Social Hall working group and decide on any necessary action to include

a. Community groups use of the hall.

It was RESOLVED to continue to charge Community groups for use of the hall at the same rate as other Fulford residents as before.

b. Any update from Phil Bixby or the Quantity Surveyor

It was RESOLVED to thank Gate & Bar for their generous offer and accept their help. It was agreed that the Clerk would follow up a response from Phil Bixby and the Quantity Surveyor.

c. To confirm that the hire rate changes proposed in January 2023 have been set for 2023/2024.

It was RESOLVED to confirm that the hire rate changes proposed in January 2023 have been set for 2023/2024.

23067. To receive and consider any update from the Fulford Climate and Ecological Emergency Working Group (FCEE) and decide on any necessary action to include:

a. To consider the notes from the Greener Cleaner Fulford Community Group (GCF) Meeting on 18th May

The most recent notes from the GCF had been circulated by FCEE and included reference to some Parish Council matters as follows:

- i) The GCF notes queried if an overgrown allotment plot should be offered as a community garden. The Clerk advised that there is a waiting list in operation at the allotments and the plot in question must first be offered to the members of the waiting list before consideration of any alternative use for it could be considered by the Parish Council. Post-meeting note: the Parish Council has a statutory duty to provide allotments if the council believes that there is a demand for allotments – the existence of the waiting list confirms the demand and therefore no allotment can be used for any other purpose. This would be considered as disposal of the allotment for which Ministerial consent would be required.
- ii) The GCF notes referred to addition of outdoor gym equipment for the parish field project. The Clerk advised that the public consultation for the parish field did not demonstrate a preference for inclusion of outdoor gym equipment and the Parish Council response to the consultation stated “The Council does not consider additional outdoor fitness facilities to be a priority for School Lane as there are already facilities provided by the Parish Council at the nearby Fordlands Road playing field and these are not well used. The Council also had concerns that outdoor fitness equipment would require regular ongoing maintenance and a commitment of resources. It is hoped that this removal of the outdoor fitness facilities from the plans may assist with the slight relocation of the main football pitch away from the play equipment area, together with the creation of a buffer zone (including planting) between the pitch and the play area.” Any change in the Parish Council’s stance would require a new decision reversing the submitted consultation response in regard to this aspect of the project. No decision was taken.

b. To consider funding a GCF pitch at the Fulford Show

It was noted that an application for a Community Grant to fund a pitch at Fulford Show for GCF would satisfy the criteria within the grant awarding policy and it was therefore RESOLVED that should an application for a Community Grant be submitted for this purpose, it would be approved.

c. To clarify the relationship between GCF and the Parish Council

It was noted that there had been some ambiguity and/or confusion about the relationship between the GCF and the Parish Council as the FCEE working group of the Parish Council included members of the GCF. The Clerk advised that unless the GCF wished to be governed by the same legislation and protocols that the Parish Council must operate within and have the same limited powers, the GCF must remain completely independent of the Parish Council. It was RESOLVED that GCF is a community group, independent from the Parish Council.

23068. To consider any updates or information resulting from recent training webinars and decide on any necessary action

Items 23061.c and 23061.d were discussed at this stage of the meeting and are in the minutes in number order.

23069. To consider exclusion of the press and public from the discussion of any aspect of item 23070 by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960

It was RESOLVED to exclude the press and public from the discussion of any aspect of item 23070 by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960.

23070. To receive and consider reports from the HR panel and decide on any necessary action

No actions were deemed necessary.

23071. To consider and propose any items for inclusion on the agenda for the next meeting

A proposal to put to Fulford Library for use of the car park was suggested as an agenda item.

23072. Confirm date and time of next meeting.

The Cemetery Committee meeting is scheduled for 19th July at 1.30 pm and the next meeting of the Parish Council is scheduled for 25th July at 7.30pm.

The Vice-Chair closed the meeting at 21:27

Signed (Chair)

Appendix 1

Correspondence Received

- f. Resident Email relating to verges along Fordlands Road and car parking.
- g. Email relating to Yorkshire Marathon road closures for 15 October 2023.
- h. Email from Martin & Co relating to upcoming changes to lettings and the Renters' (Reform) Bill
- i. NALC Correspondence:
 - i. Chief Executive's Bulletins dated 12th & 18th May and 1st & 8th June.
 - ii. Newsletters dated 10th, 16th, 24th, 31st May and 7th June.
- j. YLCA Correspondence:
 - i. White Rose bulletins dated 19 May and 2 June.
 - ii. YLCA Councillor log in update.
 - iii. Planning call for evidence.
 - iv. Consultation on onshore wind local partnership development.
 - v. Email re student research dissertation.
 - vi. Law and Governance Bulletin May 2023.

Appendix 2

Decisions taken using delegated powers

- a. Decision taken 26 May 20223: It is RESOLVED to instruct the legal advisors to send the response as drafted and circulated on 25th May 2023 in relation to CO/1614/2023 - Fulford Parish Council v City of York Council 100-102 Main Street.
- b. Decision taken 8 June: It is RESOLVED to send the second request for revocation in relation to 22/01502/FUL – for “Single storey rear and side extension and erection of 2no. rear garden outbuildings for additional living space. 151 Main Street Fulford York YO10 4PR as drafted and circulated.