

NEWBALD PARISH COUNCIL

MINUTES OF THE EXTRAORDINARY MEETING OF NEWBALD PARISH COUNCIL HELD AT THE CHURCH ROOMS ON 15 DECEMBER 2014 AT 7.30PM

Present: Councillors C. Waite (Chairman), G. Steward, M. Bainbridge, J. Barrett, D. Hart, E. Huntington, E. Openshaw, B. O'Sullivan, P. Weatherstone

In attendance: Suzanne Smith (Clerk to the Council), Mr Glyn Singer

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| 1 | <p>PUBLIC FORUM</p> <p>Mr Glyn Singer (applicant) re. 14/03288/PLF – Erection of a single wind turbine (40m to hub, 67.9m to tip) with associated works and infrastructure – land north west of Red House Farm, Beverley Road</p> <p>Mr Singer spoke to his application for the single wind turbine. He cited his main reason for installing the turbine as being to reduce his carbon footprint. Renewable electricity from the proposed wind turbine would be used to reduce his growing construction business' rising energy and fuel bills and was anticipated to offset 890 tonnes carbon dioxide per annum.</p> <p>He was confident that the turbine would be sited at a location best placed to minimise the visual impact on the area. The size of the turbine was necessary because of the long distance to the connection point at the National Grid; any smaller and there would not be an adequate return on investment.</p> <p>When asked, he said that the turbine would be about 500m away from his 4 star holiday cottages but he did not think it would be especially detrimental to that side of the business. Some Members disagreed.</p> <p>He agreed that his business would be sustainable even without the wind turbine.</p> <p><i>Mr Singer left the meeting</i></p> | |
| 2 | <p>APOLOGIES FOR ABSENCE</p> <p>Cllr. John Howard – prior commitment Cllr. Bev Smith – had to work late</p> | |
| 3 | <p>DECLARATIONS OF INTEREST IN ACCORDANCE WITH THE CODE OF CONDUCT</p> <p>3.1 Declarations of Interest</p> <p>Cllr. O'Sullivan – item 7 non pecuniary</p> <p>3.2 Dispensations – None</p> | |
| 4 | <p>FINANCE</p> <p>4.1 Urgent Decision Procedures</p> | |

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| 4.2 | <p>Resolved: that NPC approves the use of the Urgent Decisions Procedure to accept the donation of a Christmas Tree from Roger Bramhill and to pay £84.26 to purchase extra lights for the tree. (See Appendix 1.)</p> <p>Approval of Payments</p> <p>The following payments were approved – Clerk to arrange payment.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 15%; text-align: right;">101932</td> <td style="width: 60%;">Clerk expenses</td> <td style="width: 25%; text-align: right;">£186.02</td> </tr> </table> | 101932 | Clerk expenses | £186.02 | Clerk |
| 101932 | Clerk expenses | £186.02 | | | |
| 5 | <p>PLANNING</p> <p>Members considered the following planning applications:</p> <p>5.1 14//03730/PLF – Erection of building for storage of a camper van – Mulberry House, South Newbald Road</p> <p>Resolved: that NPC recommends that this application should be refused because the proposed location and height of the storage building would make it not only visible intrusive for surrounding residential properties, but would also mean that it has an overbearing impact on them.</p> <p>NPC recommends that an alternative location within the site should be found that is a greater distance from adjoining properties and will have less visual impact upon them.</p> <p>5.2 14/03288/PLF – Erection of a single wind turbine (40m to hub, 67.9m to tip) with associated works and infrastructure – land north west of Red House Farm, Beverley Road</p> <p>Resolved: NPC objects to this planning application and recommends that it should be refused for the following reasons:</p> <ol style="list-style-type: none"> i. This very tall wind turbine would be within an area that is officially designated as being of ‘higher landscape value’; an area that provides a valuable amenity for not only the residents of Newbald, but also the surrounding parishes and the many visitors that come to enjoy the untainted gently undulating hills of the Wolds and the charming character of its villages. Indeed, this is one of the most elevated sites in this picturesque area and, despite the applicant’s assertions that the turbine would be sited with a view to minimising the visual impact on the area, NPC strongly disagrees. The adverse visual impact on the surrounding countryside would be considerable and damaging. ii. This area already has its fair share of wind farms and individual wind turbines. Sancton and Sober Hill wind farms are on the doorstep and there are an ever increasing number of individual wind turbines. The cumulative impact of these has been very detrimental already and one that has caused great concern amongst members of NPC and residents of Newbald. If the quality of the landscape is to be preserved, as indeed it should be, it is imperative that further wind turbines are not positioned so as to further spoil the natural beauty of the area. iii. Members of NPC are concerned that this, as well as past and future planning applications for individual wind turbines could, if granted, result in the equivalent of a further wind farm by stealth over a period of time. iv. In addition the applicant failed to provide a convincing economic argument for the wind turbine. It is clear that, as well as meeting the electricity needs for his | | | | |

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| | <p>expanding construction business and holiday cottage business, he stands to make a considerable profit from the turbine by selling electricity back to the National Grid. Members feel that an individual's desire to increase his income should not be at the expense of the visual amenity of an entire area. Whilst attending a meeting of Newbald Parish Council, the applicant agreed that his business could continue without the turbine being erected; it was not vital to it.</p> <p>v. NPC feels that the wind turbine, which would be located only 500m away from the holiday cottages, may have a detrimental impact on visitor numbers. The holiday cottages currently enjoy very positive ratings, but the visual and auditory impact of such a nearby turbine would be very adverse to the business.</p> <p>NPC feels strongly about this application. Should the planning officer be recommending a different decision, NPC asks that this planning application be brought before ERYC Planning Committee.</p> <p><i>(Cllr. Huntington voted against)</i></p> | Clerk to inform Planning Officers |
| 6 | <p>PROPOSAL TO SITE A SHOP AT THE TIGER INN</p> <p>Cllr. Barrett said that he and Cllr. Howard had attended a meeting at The Tiger Inn.</p> <p>Concern had been expressed by the landlady about the lack of contact from Punch Taverns and she would like reassurance that they are still committed to the scheme. The Clerk said she had been trying to contact Punch Taverns to no avail but would continue to do so.</p> <p>Cllr. Barrett had a plan as to how the meeting in January should be approached, including ascertaining the nature of help volunteers were prepared to give and what time commitment they could give. He agreed to report to the Council directly prior to the volunteer meeting at The Tiger with details of his plans for its execution.</p> | |
| 7 | <p>PLAYING FIELD</p> <p>The Clerk said she had been approached by Neil Archbutt who has said that he felt it may seem heavy handed for ERYC to approach the landowner about the potential site of the new Playing Field. He suggested it may be more appropriate for someone from the Parish Council to have an initial informal chat with him first. However, if NPC was not happy to do so, he said he would make the approach.</p> <p>Mr Archbutt said he did not know whether ERYC would agree to the potential land swap. Members of NPC felt that ERYC had already verbally agreed to this though.</p> <p>Resolved:</p> <ol style="list-style-type: none"> i. that the matter of the potential land swap is referred back to County Cllr. Steve Parnaby and Legal Officer Rob Mansell who were considered to have already verbally agreed that this could go ahead. ii. Cllr. Steward agreed to speak to the landowners informally to see if they would be willing to enter into any such an agreement. | The Clerk |

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| <p>8</p> <p>8.1</p> <p>8.2</p> | <p>TREE WORK AND TREE PLANTING ON THE MIRES</p> <p>Tree Work</p> <p>The Clerk said that she felt the most appropriate person to carry out the work at The Mires, based on experience and price, was George Fillingham.</p> <p><i>Resolved:</i> that Mr Fillingham is employed to do the work.</p> <p>Tree Planting</p> <p>Members considered the various alternative tree types as recommended by ERYC Tree Officer.</p> <p><i>Resolved:</i> that one lime and one alder are planted.</p> | |
| <p>9</p> | <p>RISK ASSESSMENT AND MANAGEMENT</p> <p>The Clerk tabled a risk assessment document for consideration.</p> <p><i>Resolved:</i> That the attached risk assessment and management document be approved. See Appendix 2.</p> | |
| <p>10</p> | <p>ERYC COUNCILLORS</p> <p>None</p> | |
| <p>11</p> | <p>INFORMATION EXCHANGE</p> <p>Further to previous complaints about foreign lorries getting lost in the village, Cllr. Huntington reported that Mrs Frampton had finally firmly identified a lorry with a number plate and website address. This information had been given to the police who said that they will take some action.</p> <p>Cllr. O’Sullivan reported that many people, not just residents of the village, were looking forward to the new shop at The Tiger opening with anticipation.</p> <p>The Chairman said that he had received a verbal complaint about parking in South Newbald Road. Residents are being inconsiderate parking across pavements and making it very difficult for people to pass by, especially if they have pushchairs. The same person had complained about noisy dogs and dog fouling. (It was agreed that these items would go on the agenda in the New Year to be looked at again.)</p> | |
| <p>12</p> | <p>CORRESPONDENCE</p> <p>1) Letters from NPFA thanking NPC for the purchase of the dog exclusion zone signs for the playground and the Christmas tree lights.</p> | <p>Noted</p> |

Meeting finished at 9.15pm

Appendix 1

URGENT DECISION PROCEDURE

Date of Use: 26 November 2014

Project: Christmas Tree

Extra Spend authorised: None

Members of the Finance & Compliance committee considered an offer from Roger Bramhill to supply the village with a 15ft Christmas Tree and erect it on The Green.

The Members agreed that Newbald Parish Council should accept his kind offer.

Suzanne Smith

Clerk to Newbald Parish Council

26 November 2014

URGENT DECISION PROCEDURE

Date of Use: 4 December 2014

Project: Christmas Tree

Extra Spend authorised: £ 84.26

Members of the Finance & Compliance committee considered whether to purchase lights for the Christmas Tree on The Green.

The Members agreed that, given that NPC had saved the cost of purchasing a Christmas Tree thanks to the kind donation of Roger Bramhill.

Suzanne Smith

Clerk to Newbald Parish Council

4 December 2014

Appendix 2**NEWBALD PARISH COUNCIL****RISK ASSESSMENT AND MANAGEMENT 2014 (December 2014)**

| Area | Risk | Level | Control |
|-----------|--|-------|--|
| Assets | <p>Protection of physical assets:</p> <p>Benches around Parish Litter bins 1 notice board Cemetery War Memorial Village Hall</p> | L | <p>Assets insured.</p> <p>Public liability/indemnity is covered by the Parish Council Insurance for all benches, notice board, cemetery and the war memorial.</p> <p>The Village Hall is leased to the Village Hall Management Committee. They have in place insurance to cover the Village Hall and have responsibility for all maintenance, risk assessments and the running of the hall.</p> <p>The benches, litter bins and notice board are insured against damage and theft up to £6,283.00, coming under the category of 'Street furniture' in the Parish Council insurance</p> <p>Written risk assessments/reports to be carried out annually in the summer and a visual assessment each winter.</p> <p>Responsibility for doing a risk assessment on the Village Hall lies with the Village Hall Committee.</p> <p>NPC should ensure that the Village Hall is adequately insured to cover the value of the asset.</p> |
| | <p>Security of buildings, equipment etc:</p> <p>2 filing cabinets</p> | L | <p>Village Hall – see above.</p> <p>All equipment is kept inside Clerk's house – always either occupied or locked.</p> <p>The office equipment is insured up to £2227.89 against damage and theft.</p> |
| | Maintenance of buildings etc | | The Village Hall is managed and looked after by the Village Hall Management Committee. |
| Liability | <p>Risk to third party, property or individuals</p> <p>Benches</p> <p>Churchyard</p> | M | <p>Public & Products Liability Insurance in place.</p> <p>All the benches in the village were examined and documented in June 2013. No safety work was felt to be necessary.</p> <p>The Churchyard will be covered in written risk assessments/reports carried out annually. The first risk assessment was carried out in July 2011 by a professional contractor, with a</p> |

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| | Cemetery | | <p>specialist memorial inspection taking place in October 2011. All actions coming out of these reports have been dealt with.</p> <p>Risk assessments looking at general health & safety as well as safety of memorials have continued to be carried out at least six monthly, the most recent being in July 2014. All recommended actions have been carried out.</p> <p>Written risk assessments/reports will continue to be carried out annually each spring, with a visual assessment each autumn.</p> <p>A general risk assessment of the cemetery was carried out in July 2011 by a professional and a specialist memorial inspection took place in October 2011. All actions recommended by these reports were taken.</p> <p>Risk assessments looking at general health & safety as well as safety of memorials have continued to be carried out at six monthly intervals, the most recent visual inspection being in July 2014. All recommended actions have been carried out.</p> <p>Risk assessments looking at general health & safety are carried out at least six monthly, the most recent being in July 2014. All recommended actions have been carried out.</p> <p>Written risk assessments/reports will continue to be carried out annually each May, with a visual assessment each November.</p> <p>Applicants wishing to use the Green/the Mires will have to provide a copy of their public liability insurance. The Parish Council must check that the liability insurance is adequate for the event they are proposing.</p> <p>Management of the beck through the Mires has been contracted to the Yorkshire Wildlife Trust.</p> <p>Management of the Becksies has been given to an expert organisation – Yorkshire Wildlife Trust – it forms part of their Higher Lever Stewardship Scheme, offering it excellent protection.</p> |
| | The Green/The Mires | | |
| | The Becksies | | |
| | Legal liability as consequence of asset ownership | M | Insurance in place. |
| Finance | Banking | L | Money with main high street bank |
| | Risk of consequential loss of income | M | No investments currently but any future ones will be reviewed annually by the Parish Council. |
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| | Loss of cash through theft or dishonesty | L | Receipts issued. Indemnity Cover in Parish Council Insurance. Internal audit in place. Regular reconciliations of cash book to bank accounts carried out. |
| | Financial controls and records | L | Frequent bank reconciliations done by Clerk and financial reports provided to Council at least quarterly. Three signatories on cheques. Internal and external audit. |
| | Comply with HMRC Regulations | L | Clerk attended training on VAT. HMRC returns now done monthly through RTI (Real Time Information) End of year reports submitted annually and reported to council. Internal and external audit every year |
| | Sound budgeting to underlie annual precept | L | Council receive detailed budgets in the late autumn. Precept derived directly from this. Budget set by Council. Expenditure against budget reported to Council at least quarterly. |
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| Employer Liability | Comply with Employment Law | L | Membership of ERNLLCA and LCA. – Executive Officer at ERNLLCA is a Chartered member of the Institute of Personnel and Development. NALC has an employment law specialist. The Parish Council has Employer Liability Insurance. |
| | Comply with HMRC requirements | L | Internal and external auditors carry out annual checks. HMRC returns completed annually and reported to council. |
| | Safety of Staff and visitors | L | Employers' Liability insurance. NPC's assets are regularly risk assessed. |
| Legal Liability | Ensuring activities are within legal powers | M | Clerk clarifies legal position on new proposals. Councillors encouraged to read Good Councillors Guide. Councillors provided with Code of Conduct and copy of the Standing Orders and Financial Regulations. Clerk has successfully completed the CiLCA qualification and also attends relevant training courses/conferences. Council is qualified for the Power of General Competence. Full members of ERNLLCA and SLCC –frequently use their advisory services to check our legal position. |
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| | Proper and timely reporting via the Minutes | L | Council meets once a month and receives and approves Minutes of meetings held the previous month. Approved minutes made available to the public via the website, at subsequent meetings and on request. Website provides public information. Newsletter distributed door to door. |
| | Proper document control | L | Legal and other documents stored in the Clerk's home. Premises are always either occupied or locked. Office contents insured. Files on Clerk's computer backed up via Skydrive cloud |
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| Councillor propriety | Registers of Interests and gifts and hospitality in place | M | Register of interest completed and returned to ERYC. Gifts and hospitality register not been required as situation has not arisen. |

All remaining risks are managed to a reasonable level.

This risk management paper was approved by Full Council at its meeting on **15 December 2014**.

H: High risk, M: Medium risk, L: Low risk