

The Minutes of the **Annual Parish Meeting of the Parish of Acaster Malbis**
held on Monday, 18th March 2019, at the Memorial Hall, Mill Lane, Acaster Malbis
commencing at 7.30 pm.

Present: Councillor W G Taylor (Chairman)

Councillor John C Galvin (Ward Member – City of York Council)

Mesdames – C Appleby, A Asquith, O M Blacker, V Joughin, M Hall, J Pumffrey, J Raimes and E Smith.

Messrs – C Asquith, R L Blacker, G Hall, J W Hall, R Hall, K Joughin, T Pumffrey and R Raimes.

Parish Councillors – Councillors L Frost, B Hawkins, R Jones, J Smith and D Walker.

M G Davies (Clerk).

1). Welcome and Introductions:

The Chairman opened the meeting at 7:31pm by welcoming everybody and introducing the members of the Parish Council. The Chairman asked that questions other than those to the guest speaker be asked at the end of the meeting (Agenda item 9).

2). Guest speaker:

Police Sergeant Danny Leach from North Yorkshire Police Community Policing Team for York West: Sgt Leach gave a comprehensive presentation on the work of the local community policing team outlining recent changes in local policing procedures to provide a more visible presence in the villages surrounding York. Previous policy changes had led to policing being concentrated more in the City rather than local villages and this policy had now been reversed. Sgt Leach assured residents that whilst the village is not policed on a daily basis the new approach allowed a more flexible means of concentrating cash-strapped police resources where they are needed most but still allowing measured and appropriate responses should situations change. PS Leach invited questions from the audience. Mr J Hall asked if there had been any increase in reported burglaries but the response was that there was not. Mr R Raimes asked if there was still a routine police patrol during the night as had happened in the past but it was reported that all patrols were on an "as required" basis and would be increased (or decreased) as required by prevailing levels of crime or anti-social behaviour. Mr T Pumffrey enquired as to procedures for policing rural crime; Sgt Leach responded that North Yorkshire Police have a dedicated rural crime section equipped with off-road vehicles and motorcycles that can be moved to "hot-spots" as required. Whilst there had been sporadic thefts of farm equipment and particularly diesel fuel in the Acaster Malbis area such crime tended to be cyclical necessitating the flexible approach previously outlined. There being no further questions the Chairman thanked PS Leach for giving up his off-duty time to attend the meeting, he left the meeting at 7:52pm.

3). Minutes of the last Annual Parish Meeting held on 19 March 2018:

The draft minutes were read by the Clerk and agreed unanimously as a true and correct record on the proposal of Mrs V Joughin, seconded by Mr C Asquith. The minute book was therefore duly signed by the Chairman.

4). Matters Arising:

There were none.

5). Chairman's Report on the Work of the Parish Council: Councillor Taylor reported that the Parish Council had met on the usual ten occasions and the Planning Committee had met twice. The Planning Committee only meets when City of York deadlines for planning comments cannot be met at scheduled meetings of the full Parish Council. Members of the public are encouraged to attend the open forum at the start of Parish Council meetings to raise matters of concern but rarely do so. Matters submitted to the clerk by email are also discussed if members of the public are unable to attend.

i). Planning related matters: It was another fairly quiet year for planning mostly involving small household extensions or garages. During the year we have had to look at and comment upon one application for a garage at Mount Pleasant Park and one application for a wheelchair lift access solution also at Mount Pleasant. Two applications for demolition of existing buildings and erection of replacements plus household extension applications of various sizes. There have been two applications for tree maintenance work on protected trees in the village and one for a boundary and electric gates is still awaiting a decision.

Two planning matters are still pending from previous year's reports, firstly the boundary wall at Mount Pleasant Park which is still ongoing and secondly the appearance of caravans and other structures at Whinney Hills. The application for Whinney Hills was refused by City of York Council planning committee at their meeting in February 2018 and has

just had a formal Planning Inspectorate appeal refused. The matter will now be the subject of renewed enforcement action.

ii). Ongoing Issues:

The Chairman reported on work undertaken in the last 12 months to resolve issues raised at previous annual meetings:

a). The serious flooding under the old railway bridge on Acaster Lane has been the subject of major work by City of York Drainage engineers and was found to have been caused by blockages in the pipes running alongside the former railway embankment that discharge into the river. Hopefully this this will mean that the matter is now resolved although it will be necessary to keep the roadside gully grids clear.

b). Work has been undertaken to renew outlet pipes from gully grates opposite The Ship Inn which will allow surface water to drain into the river properly.

c). A new gully grid has been installed outside the bus shelter on Intake Lane and a new pipe laid under the road surface to discharge into the drainage ditch opposite. This has largely resolved the problem of water pooling outside the shelter resulting in users being splashed by passing vehicles. Now the bus shelter has dried out the Parish Council have been seeking volunteers to give it a spring clean and remove vegetation from the roof. Ward Councillor John Galvin has offered to come to our aid by covering the cost of the clean-up work using the ward budget to engage the services of Brunswick Organic Nursery of Bishopthorpe. It is hoped the Pinfold can be weeded by Brunswick at the same time.

The Chairman expressed his thanks to Karl and Jenny Burt for their work keeping the defibrillator kiosk clean and tidy following up on the work previously done by Pamela and David Walker.

The Parish Council are hoping to recruit one or more people to tidy the verges along Intake Lane. This is work previously undertaken by Vernon Whistlecraft for several years who has now retired.

In view of ever-changing regulations and to ensure compliance with the law the Parish Council has now registered as a "Lower Tier Waste Carrier, Broker and Dealer" under registration number CBDL268608. This will permit the lawful picking of rubbish, litter and other items from verges, footpaths and riverside paths by anybody acting on the Parish Council's behalf including 1st Bishopthorpe Scouts in our annual riverside litter pick from the old railway swing bridge to the village. The 2019 litter pick will be a little later this year as Easter is later and the river has not deposited as much debris as in previous years.

iii). Broadband:

This topic has been a feature of all meeting agendas through the year. The Chairman expressed thanks to the clerk, Matt Davies and to Mr Tony Ives for their time spent attending meetings with Julian Sturdy MP and representatives of other local villages. It is however apparent that BT Openreach will move only at their own speed despite the very best efforts of Parishioners, Parish Councillors, City of York Councillors and our local MP to push matters along. Cabinet 30 to serve the western side of the village is planned to be live by the end of March 2019 but is, as usual, unlikely to do so.

iv). Crime Figures:

Local policing crime reports are now issued monthly by a volunteer administrative assistant and are arriving in a regular and timely manner. Policing of the area is carried out by a "team" who patrol as and when resources permit or are needed. A quad bike has been stolen from an address in the village, there have been small scale thefts of diesel and an industrial building on a farm was entered but nothing was apparently taken. Parish Council meeting dates have been passed to the local policing team and local officers try to attend meetings from time to time. Our local PCSO5645 Laura Thompson called in to the January 2019 meeting to introduce herself confirming that Acaster Malbis remains largely crime free when compared with other areas. Two representatives of the Parish Council attend community policing meetings at Athena House at Clifton Moor but these are intermittent.

v). Projects, Grants and other matters:

a). Grants and other expenditure,

1st Bishopthorpe Scouts for 2018 riverside litter pick £200.00

Acaster Malbis Memorial Hall contribution to refurbishment works £500.00

Parish Council purchase of GDPR compliant secure filing cabinet £70.80

Mr V Whistlecraft for verge clearance work £60.00

b). Other matters,

The Parish Council continually reviews its Standing Orders and other strategic documents and policies to keep pace with legislative changes. The Council is fully compliant with the Transparency Code and GDPR and the website is updated as and when required. It should be noted in particular that the Council does not process any personal information. The new Annual Governance and Accountability Return (AGAR) for 2017-2018 was processed successfully and accepted by the internal auditor. The Parish Council claimed exemption from external audit under the terms of the Transparency Code and this claim was processed without incident or comment.

c). Future changes,

To comply with the Transparency Code and forthcoming "Making Tax Digital" plans being implemented by HMRC we are currently seeking a suitable computerised accounting system to ensure we are ready for future changes. This will come at some cost. The clerk has attended a training seminar on VAT which also had an associated cost but is essential to avoid disproportionate penalties being incurred for infringements.

With the way the Council's obligations are constantly changing the role and working hours of the clerk (being the Council's only employee) are now reviewed each December, the Chairman thanked Cllrs Judy Smith and Rob Jones for their work in setting up the necessary policies and procedures including a full revamp of the clerk's Contract of Employment. Currently the annual review is conducted by Cllrs Judy Smith and the Chairman. It is now 12 years since Geoffrey Smith retired as clerk and he would probably be overwhelmed by how much this position has changed since then.

d). Parish Precept,

Finally the Chairman addressed the matter of the annual precept. It is 10 years since we last had an increase in the Parish Precept (*clerk's note - overall inflation alone in the period was 24.4%*). In recent years our expenses have been higher than our income and we have been eating into our reserves. To maintain our reserves at the recommended level of no more than twice the annual precept the Council resolved to increase the amount for 2019-2020 from £2774 per annum to £3499. This represents an increase for a band D property of less than 5p per week. (*Clerk's note – the level of precept for 2019-2020 was discussed and approved at the Parish Council meeting on 14 January 2019 and recorded in the minute book accordingly.*)

e). Conclusion,

The chairman ended his report by asking that questions be saved until the Open Forum at the end of the meeting finally pointing out that our Ward Councillor John Galvin was due for re-election in May 2019. The Chairman expressed thanks on behalf of the Parish Council and parishioners for all the good work he has done for many years and hoping that he will be in a position to continue in due course.

6). Accounts:

(i) Parish Council for the Year Ended 31 March 2018: - Copies of the Receipts and Payments summaries for the year were circulated to those present. The Chairman gave a brief explanation of the 'Receipts' and 'Payments' figures. Mr T Pumfrey proposed and Mr. R Hall seconded that these accounts be accepted. The proposal was agreed unanimously.

(ii) The Knowles Educational Foundation: - Mrs Olivia Blacker reported as below:

The Accounts for The Knowles Educational Foundation for the year ending 2018 are as follows:

The income from investments provided a total of £3457 which after the deduction of management expenses of £797 left £2660 available for grant applications.

The breakdown of management expenses is shown in the accounts and the only appreciable difference from the previous year is the removal of the cost of the Legal Entity Identifier which registration which was accounted for in 2017.

In 2018 the total sum of awards given by the Trustees came to £5296, actually leaving the Foundation with a deficit for the year (this being covered by an accrued surplus from previous years in the bank account). The Foundation had also advertised itself more widely during 2018 to attract more applications and help more children.

Of the total grants awarded, £1615 went towards various school and music trips, compared with £60 awarded in 2017 for the same category. Plus nearly £400 was given towards school sports trips and £620 towards private tuition, neither category having been applied for the previous year. These differences reflected in the total sum for 2018 being considerably higher than in previous years.

The Accumulated Capital as at 31 December 2018 was £54,613 and the Foundation would like to thank David Walkden for continuing to act as our Independent Examiner of the annual accounts.

There are no village Trustees changes due this year.

(iii) The John Knowles and John Kettlewell Charity: - Mrs Vicki Joughin presented the Accounts for the Year Ended 31 December 2018 commenting as follows;

Financial Report

The income from the investment (currently valued at £3,317.99) totalled £184.08 and the cash brought forward from 2017 brings the total income in 2018 to £274.89. In December 2018, £175.00 was distributed in grants which were favourably received by the beneficiaries, leaving a balance in the current account of £99.89. Our thanks go to Bob Nicholls for auditing the accounts again.

Trustee Changes

As advised by Tim Pumffrey at the 2018 Acaster Malbis Parish AGM, Tim has resigned as a trustee of the charity. Tim was appointed as a trustee in June 2000 and the remaining trustees would like to thank him for his long service. In April 2018, Alan Smith also announced his intention to retire as a trustee and therefore Dawn Hall and Vicki Joughin, were both appointed as new trustees, as agreed by the Parish Council and Parish AGM.

In January 2019, Jenny Raimes, resigned as a trustee, handing over her secretary and treasurer responsibilities to Vicki Joughin. We would like to thank Jenny for her long and faithful service to the charity. Jenny was appointed as a trustee in June 1995 and took over as secretary and treasurer in 2002. The trustees proposed Pat Attwood of Mill Garth Park, to the Parish Council to backfill the trustee position. The Parish Council approved this nomination at the March Parish Council meeting, therefore unless there are any objections raised by the attendees at this Parish AGM, Pat will be inducted forthwith.

General Data Protection Regulations (GDPR).

The trustees have acknowledged the need for a policy relating to GDPR and have now taken the necessary action to put this in place. Our thanks go to James Hall and Julia Campbell of the Acaster Malbis Knowles Educational Foundation for their assistance in this matter.

(clerk's note - acceptance of all trustee changes were approved by all present without a formal vote)

7). City of York Council – Ward Member: Cllr John Galvin - Cllr Galvin began by confirming that he intended to stand for re-election as an Independent candidate in the May 2019 elections hoping that his record of achievements over many years would stand him in good stead.

Cllr. Galvin confirmed that the planning application for the “encampment” at Whinney Hills had been refused by a City of York planning committee in February 2018. The applicant’s right of appeal to the Planning Inspectorate had been exercised and recently refused. The currently suspended enforcement action will be restarted.

Cllr Galvin confirmed that items of drainage work (as reported elsewhere) had been completed including the gully on Intake Lane which has been renewed and a new discharge pipe run across the road to discharge into the existing ditch. Gullies and drainage pipes at The Ship Inn and at the old railway bridge on Acaster Lane have been cleared or replaced at some considerable cost although the work should now provide permanent solutions to these long-standing issues.

Cllr Galvin reported that the main issue throughout York continues to be potholes. Funding is severely limited and there are just not enough resources to provide a solution. City of York only has two pothole inspectors and three gangs to carry out all repairs in the entire City. Potholes less than 40mm deep are not repaired.

The York Local Plan is still a work in progress.

8). Update on Superfast Broadband: – Further to the Parish Council Chairman’s report on this topic the clerk reported as follows. Progress, as usual, continues to be slow and Digital York and Julian Sturdy MP continue to work with Openreach and Superfast West Yorkshire & York with limited success. Cabinet 26 although operational has failed to provide fibre service to a number of properties in the Moor End area. Openreach claim connection was “not feasible” but seems unable to provide any plausible explanation as to the reasons for their failure. The fibre service for Cabinet 30 to serve Lakeside, Mount Pleasant and the western end of the village is also delayed as BT Openreach sited the cabinet in breach of Ainsty (2008) Internal Drainage Board bye-laws resulting in them being ordered to move it to a more suitable location. Openreach claimed never to have heard of drainage boards despite them covering 10% of the UK’s land area. Hopefully despite all this the project (for most) may be nearing its end.

9). Open Forum –

a). T Pumffrey asked Cllr Galvin for a progress update on the York Local Plan. Cllr Galvin responded that hearings are imminent but that there is an issue with inclusion of former MOD land at Strensall that may not be available for redevelopment as planned.

b). C Asquith asked that he wished to record his thanks for all the hard work carried out by Pam Walker in her role as emergency planning representative particularly in respect of her duties in disseminating flood information to residents.

c). B Martin asked if anything could be done to stop heavy goods vehicles overshooting Mount Pleasant Park when delivering park home units using the entrance to Lakeside as a turning point causing serious damage to the opposite grass verge in the process. Cllr Galvin stated that without imposing vehicle weight limits or access restrictions little could be done.

d). C Appleby commented that potholes near the edge of the highway tend not to be repaired causing a particular hazard for cyclists. Cllr Galvin acknowledged that this was an issue on many local roads. Patches will often not stay in place if adjacent to the edge of the highway if they are not braced by kerbing. The cost of installing kerbs would be prohibitive; this issue also affects gully sweeping that cannot be carried out on unkerbed as the verge would be eroded by the action of the sweeping brushes.

e) G Hall asked if Councillor Galvin was aware of the parking issues affecting Bishopthorpe Road in the area currently be redeveloped at the former Terry's factory. Cllr Galvin acknowledged that bad parking on Bishopthorpe Road was becoming more of an issue but was unable to confirm if the problems was being caused by contractor parking of residents. The matter is being monitored and may resolve itself when the contractors are finished on site.

There being no further questions the Chairman closed the meeting at 9:01pm and thanked all, particularly the speakers, for giving up their time to attend.

It should be noted that these are draft minutes and will remain so until approved at the next Annual Meeting of the Parish 16 March 2020. Any comments or corrections should be submitted to the Parish Council Clerk by email parish.clerk@acastermalbis-pc.gov.uk , via the contact form on the Parish Council website <https://acastermalbis-pc.gov.uk> or by telephone 01904 702131.

Minutes approved at the Annual Meeting of the Parish 16 March 2020 and duly signed by:

Chairman _____