

**Draft minutes of the ordinary meeting of Pickering Town Council held on 18 July 2016 in the Memorial Hall, Pickering**

Present: Councillor J Andrews, Councillor B Baker, Councillor M Danks, Councillor H Haythorne, Councillor S Jenson, Councillor Lovejoy, Councillor W Oxley, Councillor E Richardson, Councillor E Randall, Councillor J Stott and Councillor T Woodward.

Three members of the public were present.

**39 APPLICATIONS FOR DISPENSATIONS**

The council noted that none of its members had applied for a dispensation.

**40 MINUTES**

The council resolved that

- the minutes of the annual and ordinary meetings held on 20 June 2016 be approved;
- the minutes of the council’s planning committee held on 5 July 2016 be received and noted.

**41 TOWN MAYOR’S ENGAGEMENTS**

24 June 2016 Opening of Cedar Barn Farm Shop railway  
2 July 2016 St Joseph’s Roman Catholic Primary School fete  
9 July 2016 Ryedale Rose Festival, RV Roger Plant Centre  
17 July 2016 Yorkshire Army Cadet Force Presentation Day, Strensall Barracks

**42 MEMBERS’ REPORTS**

The council received verbal reports from Councillors Jenson (Northern Ryedale Public Transport Group, Pickering in Bloom and the monthly litter pick) and Baker (Slowing the Flow Programme Board).

**43 THE TOWN CLERK’S REPORT**

i) Council meeting schedule: August-September<sup>1</sup>

August			
2	Planning Committee	Kitching Room	7pm
5	Councillors Audit	Kitching Room	9am
15	Ordinary meeting of the council	Mill Room	7pm
September			
2	Councillors Audit	Kitching Room	9am
6	Planning Committee	Kitching Room	7pm
19	Ordinary meeting of the council	Mill Room	7pm

<sup>1</sup> Meetings are held in the Memorial Hall unless otherwise stated.

**43 cont.**

- ii) Notes, magazines, documents lodged in the council office:
- YLCA's *Annual Review 2015-2016*;
  - *Corbie Infos, (Bulletin d'Infos)*, April 2016;
  - Ryedale Forum 50+, *Late Summer Programme*, August to October 2016;
  - The county council's *North Yorkshire Now* enewsletter, July 2016;
- iii) A freedom of information request had been received on 8 July 2016. The member of the public had been informed on the same day that the council had not made and would not be making any funding available for the Queen's birthday celebrations during the year, and that the council had not received, and would not be receiving, any funding from government to cover the cost of any celebrations that might be held.
- iv) Re Minute 30, Planning Application NY/2016/0095/73A.

From the Children's and Young Person's Service, North Yorkshire County Council:

*Pupil numbers continue to be monitored in Pickering but, to date, the need for a new school has not been established. Pupil numbers are stable and previously completed developments have not delivered the predicted numbers of additional pupils. The county council has however made representation to Ryedale District Council that this needs to be kept under review in the light of any further significant housing applications and as part of the forthcoming Local Plan allocations. In the interim it is preferable to avoid making changes to the existing accommodation at either primary school site.*

**44 VACANCY IN THE OFFICE OF TOWN COUNCILLOR FOR THE WEST WARD OF PICKERING<sup>2</sup>**

The council noted that the Returning Office had not received requests from ten electors for an election to take place for the office of town councillor for the West Ward of Pickering. Therefore the council could make arrangements to co-opt a replacement member.

The council decided that it would invite applications for the vacancy through social media, its website and notice boards, and look to co-opt a new member at the ordinary meeting in September.

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<sup>2</sup> Minute 28, 20 June 2016.

## 45 DEVELOPMENT CONTROL

### i) Outcomes: recent planning applications

The council received and noted the outcomes which related to six applications.<sup>3</sup>

### ii) Planning applications considered at the meeting

The council had no objections to the applications listed below:

- 16/01065/HOUSE - erection of single storey extension to attached garage and raising of roof height to form additional domestic living space and erection of porch to side elevation at 15 Meadow Road;
- 16/01019/FUL – change of use of bike shop (Use Class A1) to a mixed use of craft shop (A1) and tea room (A3)(retrospective) at 2 Market Place;
- 16/01102/HOUSE - erection of detached garage to replace existing detached garage at 15 Maudon Avenue.

## 46 PLAY AREAS

The council received and noted a report on the play areas for which it was responsible. The report covered location and usage; equipment; fences, gates and entrances; grounds maintenance; furniture, and visual inspections.

The discussion focused on the number of play areas and their respective usage. Whilst it was recognised that the large play areas at Manor Drive and Hawthorn Lane were popular, it was thought that the smaller amenities at Otter Drive and Troutbeck Close only attracted a few children and the larger play area in Greenlands might be occasionally visited by children who wanted to kick a ball about. The reasons for the under use were several but amongst them were

- the changed demography of the Barratt and Persimmon estates where five of the play areas were sited;
- the reluctance of some parents to let their children use the play areas unaccompanied;
- the popularity of computer games.

Comparisons were made with the popularity of the play areas at Ebberston and Thornton le Dale.

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<sup>3</sup>16/00284/LBC - installation of two pairs of timber internal doors immediately behind the existing entrance doors on the east and north elevations of Becksides Crafts, Bridge Street - approved; 16/00774/FUL – change of use and alteration of shop to a delicatessen and hot food takeaway to include installation of external extractor flue at 3 Hallgarth - approved; 16/00940/73A - variation of Condition 5 of approval 15/01042/FUL dated 23 December 2015 to replace drawing nos A500015/02 Rev C north and west elevations and A500015/01 Rev D Floor Plans by drawing nos A500015/02 Rev D north and west elevations and A500015/01 Rev G floor plans at 15 Market Place - approved; 16/00939/LBC - external and internal alterations to include display of three externally illuminated signs to north and west elevations, replacement window to west elevation with alterations to internal layout to include removal of staircase and replacement staircase to form a coffee shop (revised details to approval 15/01235/LBC dated 23 December 2015, at 15 Market Place - approved; 16/00872/HOUSE – erection of first floor extension to Cattlemans Cottage, Bean Sheaf Lane - approved; 16/00389/HOUSE - erection of a detached garage/car port at 21 Eastgate – withdrawn.

## 46 cont.

The council thought that the play area at Greenlands could be developed to serve a new estate to be built by Persimmon Plc beyond its western boundary and, to that end, would make further representations to the company and the planning authority.

On the future of the play areas, the council decided that a consultation exercise could be appropriate but this should be run in tandem with a consultation exercise on the recreational use of the community park.

## 47 CONTRACTS 2017-2019 AND BEYOND<sup>4</sup>

### i) Schedule: tendering process

The council decided that the tendering process should begin during the first week of November 2016 with deadline for receipt of tenders as noon, 9 December 2016.

### ii) Contract term

The council noted that contracts were usually awarded for two years with the possibility of extending them for a third year, the price for that year being adjusted by RPI to reflect the increase in inflation between the beginning of the first contract year and the end of the second.

### iii) Public Contract Regulations 2015 – information

The council decided to seek advice from YLCA as to the applicability of the regulations to packaging of contracts.

For the current suite of contracts prospective tenderers had been informed that the council welcomed packaging of contracts; however, should some tenderers package all the grounds maintenance contracts, the total sums might exceed the £25000.00 threshold and be in breach of the 2015 regulations.

### iv) Specifications

The council

- received and noted revised specifications for all its contracts save hanging baskets and footway lighting;
- was informed that the requirement for bulk change of lights would no longer be included in the footway lighting specifications and that the LED lights only needed a six yearly electrical inspection.

### Hanging baskets

The council required further information about hanging baskets. The current provision did little to enhance the town centre and alternative arrangements should be considered if the council was to continue to pay for this form of floral display. Apart from a better

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<sup>4</sup> The council runs seven contracts: grave-digging, open space, verge and play area grass cutting; cemetery and churchyard grounds maintenance; footway lighting and small works.

**47iv) cont.**

display, the issue to be solved was regular watering of the baskets. The council required information about local provision of flowers and a solution to the problem of watering them before it would make a decision about whether to continue to provide them beyond the current contract year. The view was noted that the town was in itself attractive thereby obviating the need for public provision of hanging baskets.

Caretaker

Councillors Andrews and Oxley were appointed to review all the specifications in the council's contracts to identify work which could be undertaken by a caretaker.

Councillor Randall gave her apologies and left the meeting at 8.30pm.

**48 FACEBOOK AND TWITTER**

The council learnt that the town clerk's assistant had established a facebook (www.facebook.com/pickeringtowncouncil) and a twitter account (@pickering\_tc) both of which were attracting followers.

The council noted that whilst it was in its interests to have as many people as possible liking the facebook page, it was not in its interests to accept requests to become a facebook friend because friends' comments could be distracting and some might be objectionable.

The council accepted that it was in its interests to follow other twitter users as this would increase its own followers and allow the council to share information with a wider network but decided that guidance should be sought to ensure that the council was not compromised by doing this.

**49 RYEDALE MARKET TOWNS PROMOTION - TOURISM CO-OPERATION BID**

The council decided that it would communicate its support for the district council's bid to the Rural Development Programme for England programme. Were the bid to be successful the Pickering community stood to benefit from the implementation of the district council's proposals which included walking and cycling connections between the five towns.

**50 COMMUNITY PARK<sup>5</sup>**

The council received, reviewed and endorsed the recommendations of the working party on three issues which David Wilson Homes Yorkshire East had asked for comments:

- preparing the ground for seeding in the open spaces in the park;
- the detention basin;
- the vulnerability of properties on the southern boundary of the park to flooding.

In addition the council endorsed the view of the working party that nine other issues, would require resolution before handover.

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<sup>5</sup> Please see Appendix i).

**50 cont.**

The council would also ask when the developer would deal with the issue of encroachment.

The council reflected on its experiences with David Wilson Homes and decided that, in future, it must ensure effective and, if necessary, continuing discussions with the district council and any developer who wanted to build a housing estate in the town to ensure that planning gains and planning gain moneys were used effectively.

**51**     **FINANCE**

i)     Councillors Audit for June 2016

The council resolved that the report of the audit undertaken on 1 July 2016 that financial transactions in June had been undertaken according to internal control policies and procedures, be received and endorsed.

ii)    Delegated decisions by the clerk

The council noted and endorsed the decisions taken by the clerk since 8 June 2016.

iii)   Christmas lights

The council considered the proposals listed below:

- a) for financial year 2017-2018 onwards, budgetary allocation of money
  - for the upkeep and ongoing improvements required to the Christmas lights;
  - to meet the costs incurred at Switch on including road closure, hog roast and entertainment;
- b) administration of Christmas lights' finances for financial year 2017-2018 and beyond.

Pickering in Business had assumed responsibility for fundraising, installation and dismantling of the lighting scheme and the organisation of the Switch on; however, the group looked to the council for financial and administrative support.

The council decided that it would allocate money in the budget for at least the financial year 2017-2018 to help meet the costs of Christmas lights. The precise amount would be determined by an evaluation of the group's balances and estimate of costs and receipts. The council's staff would take on the group's financial administration on the understanding that the work would amount to no more on average than an hour per month from October to February.

The council noted that Pickering in Business would be applying for a grant for the 2016-17 event and that its grants policy would apply.

iv)    Financial statement, June 2016

The council resolved that the statement for June 2016 be received and noted.

**51 cont.**

v) Accounts paid and due for payment<sup>6</sup>

The council resolved that the July accounts paid and due for payment totalling £30672.94 be approved.

**52 GARDEN WAY PLAY AREA: FALLEN TREE**<sup>7</sup>

The council resolved that in view of the confidential nature of the business about to be transacted, it was advisable in the public interest that the press and public be temporarily excluded and they were instructed to withdraw. The issue related to a claim for compensation.

The council received and noted further correspondence from a member of the public, comments by residents who lived in the vicinity of the play area, and verbal advice from YLCA.

The council

- would both acknowledge the correspondence from the member of the public and address the issues identified therein;
- decided to contact both the police and the housing association to request their assistance in dealing with residents' and its own concerns about the member of the public's behaviour.

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<sup>6</sup>Please see Appendix ii).

<sup>7</sup> Minute 37, 20 June 2016.

Appendix i)

Notes of the meeting of the Community Park Working Party held on 9 July 2016

1. The working party has had a meeting to discuss a communication from Karl Lerums, David Wilson Homes Yorkshire East (DWH). The email can be read below:

*I have sat down with my director this morning to review the above works to the community park and write to confirm the same.*

- a) *We have invited our contractor to confirm costs for the final works required to complete the POS area. These works include, preparation works, rolling and importing top soil for the western part of the green space and final grass seeding across the whole area. To then maintain the grassed area until handover. As you know from previous years we will need a good spell of dry weather to complete the green space.*
- b) *Designs for the detention basin are all but agreed with YW, and I would hope that these works can be tendered this month and started soon after.*
- c) *We are reviewing and considering the issue associated with the near flooding of the two properties on either side of Love Lane and would ask for your patience while we investigate various options.*

*It would assist us, if you could set out in writing the Town Councils expectations in this respect, and clarify what the council would be looking for, to take possession of the community park on completion of the works.*

*Your earliest possible response would be much appreciated.*

Re 1a.

The working party's view was that

- DWH should draw up a schedule of work which should be feasible ie the schedule should take note of the likelihood of contractor absence, breakdown of equipment, periods of inclement weather, and forward it to the council for scrutiny;
- the working party understood that preparation included destoning, levelling and rolling;
- the council should require information from DWH on how the drainage work would impact on ground preparation, seeding and cutting work.

The working party assumed that DWH would cut the new grass on at least two occasions before handover and that the work would be tied in with the preparation of the allotments for cultivation.

Re 1b.

The working party recommends that the council seek a disclaimer from DWH that the detention is not an integral part of the community park and that the council is freed from any responsibility and liability relating to it. There will have to be an agreement drawn up which gives Yorkshire Water a right of access to maintain the structure and an obligation to make good any damage to the access track or the park through vehicular movement and the activities of its employees, contractors and sub-contractors.

The working party assumed that the district council would have to agree that the detention basin was independent of the community park, and that DWH would fence the basin.

Re 1c.

The working party recommended that the council ask DWH for a plan of the new drainage scheme together with the time frame for implementation and clarification about whether the scheme would need the approval of Ryedale District Council. The council would also need to know that DWH would monitor the effectiveness of the scheme and effect any changes to ensure that the owners of properties which adjoined the southern boundary of the park were protected from flooding from water from the park.

2. Other matters

The working party identified a number of issues that required resolution before handover.

- a) The council would need to see and approve the revised landscaping scheme and assumed that it would need the approval of the district council.
- b) The council would need plans of the toilets and storage shed together with information about electricity supply, meterage and circuitry, and plumbing, and the rebuilding value of the two structures for insurance purposes. The council would need a copy of the building guarantee and assurance that the toilets and the pipes which linked the amenity to the sewage and surface water systems worked. The council should ask DWH to monitor both the electrics and the plumbing for one year after handover and effect any repairs. The changing facility should be removed.
- c) The access track should be inspected and any deterioration made good and grass and weed infestation treated. The council would need to be assured that measures were undertaken to ensure that that section of the access track which was subject to flooding was protected in the future.
- d) A plan showing the new position of the LAP should be created.
- e) The allotments should be prepared for cultivation, and water tanks installed, the timing to be such that the ground would not be subject to further weed infestation before handover.
- f) The hawthorn adjoining the A169 should be cut back before handover together with the hawthorn on the eastern boundary of the park.
- g) A copy of the agreement with Mr Pickering on his right of access should be forwarded to the council as changes might have to be made before signing.
- h) Rubble, debris, fallen branches etc would be gathered up and cleared from the site before handover and the farmer's access track cleared of plastic and metal.
- i) DWH should consider making a significant financial contribution to help meet the cost of buying and installing recreational facilities. Given the delay in handing over the amenity to the council, opportunities had been missed to apply for grant funding.
- j) Encroachment on the community park by the owner of 51 Woodlands Park.

3. The working party decided that the council needed to engage in effective discussions with the district council and any developer who intended to build a housing estate in Pickering about how planning gain moneys could be best used to the benefit of the town.

Appendix ii) – July Accounts

Voucher No.	Payee	Description	Gross Amount	Power
44	Yorkshire Water	Water charges cemetery storage shed	£ 13.53	Local Authorities' Cemeteries' Order 1977
45	SLCC Enterprises Ltd	Attendance fee - SLCC Regional Roadshow 2016 – Mrs A Dawson	£ 106.80	Local Government Act 1972, s111(1)
46	Petty Cash	Cash no 2	£ 50.00	Local Government Act 1972, s111(1)
47	Acorn Lighting Ltd	Replacement of 15 streetlights	£16044.00	Parish Councils Act 1957, Part 1, s3(1)
48	DM Eddon Building and Joinery Contractors	Various maintenance work under small works contract	£ 2388.00	Open Spaces Act 1906, s10(b)
49	Complete Office Solutions	Toner cartridge and stationery for office	£ 65.29	Local Government Act 1972, s111(1)
50	Allgardens ltd	Grounds maintenance July 2016 and supply of hanging baskets	£ 4680.00	Open Spaces Act 1906, s10(b)
51	Mr CG Barraclough	Gravedigging services January to June 2016	£ 2100.00	Local Authorities' Cemeteries Order 1977(s3)
52	Salaries and related payments	July 2016	£ 4456.73	Local Government Act, 1972 s112(2)
53	Natwest Bank Plc	Bank charges June 2016	£ 16.60	Local Government Act 1972, s111(1)
54	PWMCT	Rent/Services August 2016 Hire of meeting room 15.08.16	£ 600.00 £ 25.00	Local Government Act 1972,s111(1) Local Government Act 1972,s111(1)
55	PCX Computer Services	Broadband line rental August 2016	£ 17.99	Local Government Act 1972,s111(1)
56	EDF Energy	Electricity charges town clock lighting	£ 13.00	Parish Councils Act 1957, s2
57	EDF Energy	Electricity charges cemetery storage shed	£ 8.00	Local Authorities' Cemeteries' Order 1977
58	Ryedale District Council	Cemetery rates August 2016	£ 88.00	Local Government Act 1972, s214(2)
Total paid or due for payment July 2016			£30672.94	