

Minutes of the ordinary meeting of Pickering Town Council held on 19 September 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 Randall, Councillor E Richardson, Councillor J Stott and Councillor T Woodward

One member of the public was present.

67 APPLICATIONS FOR DISPENSATIONS

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

68 MINUTES

The council resolved that

- the minutes of the ordinary meeting held on 15 August 2016 be approved;
- the minutes of the council's planning committee meeting held on 2 September 2016 be received and noted.

69 TOWN MAYOR'S ENGAGEMENTS

2 September 2016 Vale of Pickering Art Exhibition

70 MEMBERS' REPORTS

a) Verbal reports

The council received and noted verbal reports from Councillor Jenson (Pickering in Bloom and the monthly litter pick) and Councillor Lovejoy (Pickering in Business).

b) Community Park¹

NB "DWH" – David Wilson Homes Yorkshire East.

The council received and noted

- the exchange of views and information with DWH between 18 July 2016 and 24 August 2016;
- the notes of the meeting of the working party and DWH which had been held on 7 September 2016.

The two documents are incorporated in these minutes as Appendices 1 and 2.

The council was informed that since the meeting, DWH had

- stated that the docks in the grassed areas would be treated with a weed killer containing fluroxpyr and clopyralid;
- estimated the number of hectares of grass that would need cutting and had forwarded this information to the clerk.

¹ Minute 50, 18 July 2016.

70b) cont.

- provided a copy of the Deed of Release and Grant relating to a right of access to fields adjoining the northern boundary of the park.

Councillors were asked to visit the park and see for themselves the number of stones still present on the surfaces of the areas that had been, or were about to be, seeded.

The council was further informed that

- two contractors had been invited to visit the park to give advice on a grounds maintenance regime;
- residents in Woodlands Park were to discuss the issue of water run off from the park with the Project Engineer for Flood Risk Management at North Yorkshire County Council.

71 THE TOWN CLERK'S REPORT

i) Council meeting schedule: October-November²

October			
4	Planning Committee	Kitching Room	7pm
7	Councillors Audit	Kitching Room	9am
17	Ordinary meeting of the council	Mill Room	7pm
November			
1	Planning Committee	Kitching Room	7pm
4	Councillors Audit	Kitching Room	9am
21	Ordinary meeting of the council	Mill Room	7pm

- ii) Notes, magazines, documents lodged in the council office:
- minutes of the meeting of the Pickering and Area Community and Police Group held on 18 May 2016;
 - the Police Report for Pickering, August 2016;
 - the county council's e-newsletter, North Yorkshire Now, September 2016.
- iii) The county council had issued posters alerting members of the public to the need for sixty volunteers to maintain current opening hours in the library in Pickering.
- iv) A communication from a member of the public re CCTV³

I would respectfully point out that in any situation, decisions made in the past often do not adequately accommodate situations arising in the future. Since your previous decisions were made, technology and social circumstances have moved on.

Unfortunately there are legal issues that will prevent individual businesses from operation of CCTV systems where the footage may be required for use in protecting the wider community.

² Meetings are held in the Memorial Hall unless otherwise stated.

³ Minute 63, 15 August 2016.

71 cont.

My communication with you is not related to seeking financial support, but was to include The Town Council in the discussion in order that you had a voice in decisions

that may impact upon your ability to dispense your duty as a body representing the wider community.

As you have been clear that despite changing circumstances, The Town Council will not be interested in joining the discussion, we will continue the dialogue with the other stakeholders.

72 CO-OPTION⁴

The council decided that it would extend the time for advertising the vacancy with the intention of making an appointment at the ordinary meeting in November. The application that had already been submitted would be considered at that meeting.

73 DEVELOPMENT CONTROL

i) Outcomes: recent planning applications

The council received and noted the outcomes which related to nine applications.⁵

ii) Planning applications considered at the meeting

The council had no objections to the applications listed below:

- 16/01420/LBC - external alterations to include installation of two replacement timber-framed double-glazed first floor windows to rear elevation of Houndgate Hall, 20 Hungate;
- 16/01034/FUL – erection of a three bedroom dwelling on land adjacent to Riparian Lodge, Mill Lane;

⁴ Minute 28, 20 June 2016 and Minute 44, 18 July 2016.

⁵ 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 - approved; 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 - approved; 16/01054/CLOPUD - Certificate of lawfulness for a proposed use or development in respect of the erection of a one bedroom log cabin to provide ancillary accommodation to Eastgate House, Malton Road - refused; 16/00840/LBC – external alterations to include installation of replacement double-glazed timber sliding sash windows to all existing windows at 7 Train Lane - approved; 16/00250/FUL – erection of three additional residential units and revision to house types of plots 54 and 58 together with alterations to site layout and associated parking and landscaping (revised details to approval 14/00976/MREM dated 9 December 2014) on land at OS Field 9525, Crossgate Lane - approved; 16/01269/HOUSE – installation of replacement dormer window to south elevation roofslope at Two Ways, Swainsea Lane - approved; 16/01213/FUL - erection of a permanent stone gateway feature to the left side of the main site entrance with a maximum wall height of 1.675m and intermediate stone piers of 2.4m maximum height on land at OS field 9525 Crossgate Lane - approved; 16/01212/ADV - re-location of the 2.4m high non-illuminated advertising hoardings from the left side of the site entrance to the right side with the same graphics to be used on land at OS field 9525 Crossgate Lane – approved. 16/01218/HOUSE – rebuilding and extension of existing outbuilding to form additional domestic accommodation to include raising of roof height at 108 Eastgate - .

73ii) cont.

- 16/01446/73AM - removal of Condition 18 of application 08/00551/MFUL (as allowed by appeal APP/Y2736/A/09/2102050) to allow store deliveries to take place at any time at Lidl UK, Vivis Lane;
- 16/01396/CAT – T1 -removal of mature Leylandii, T2 – pruning to mature Holly, crown reduction, thinning and removal of branches overhanging neighbour’s boundary at 17 Hallgarth.

The council had two concerns about the applications to erect a single storey extension to the north elevation of the Masonic Hall and remove a section of the north wall: whether the extension was in keeping with the immediate built environment (including the Masonic Hall itself) which, it was assumed, dated back to the nineteenth century; whether there was significant overshadowing and loss of outlook to the detriment of the rear of Bridge House, Bridge Street.⁶

iii) Planning Application 14/01259/MFUL⁷

- a) The council had been asked by the district council whether it had any objections to the developer’s proposals for street names for the housing estate to be built off Firthland Road. The names were Maple Road, Lavender Close and Rosemary Close.

The council decided that the proposals bore no relationship either to the specific location or the area in which the houses would be built and proposed instead Howardian View, Carr Field Close and Stanfield Drive which incorporated topographical and place names relevant to the site.

- b) The council noted that the housing estate would include a local area for play. Furthermore the council assumed that Persimmon Homes (Yorkshire) Ltd would build more houses south of the proposed development and this would entail the provision of additional amenity areas.

The council decided that it would invite the developer and the district council to discuss the relationship of the existing play facilities in this part of Pickering to the Persimmon’s housing proposals and how they might be developed to the advantage of local residents.

iv) North York Moors National Park Authority: the new Local Plan – consultation exercise

The council decided that the planning committee should respond to the consultation exercise when it met on 4 October 2016.

The council noted that members of the public had been invited to participate in the exercise.

⁶ 16/01414/FUL and 16/01415/LBC.

⁷ Erection of 12 four bedroom dwellings, 27 three bedroom dwellings and 13 two bedroom dwellings with associated garaging, parking, amenity areas, public open space, landscaping and formation of vehicular access and site roads on land to the rear of Firthland Road.

74 **CEMETERY BOUNDARY: TREES**

The council received and noted a communication from Boulton and Cooper Stephenson who were acting on behalf of the beneficiaries of the late Stephen Kitching Walker's estate. The beneficiaries were about to apply to the district council for permission to build a house on the land immediately adjoining the northern boundary of the cemetery and had assumed that three of the trees on that boundary belonged to them.

The council noted that the clerk had acknowledged the communication and pointed out that the council assumed that the trees were part of the cemetery and gave the reasons for the assumption.

The council noted that Boulton and Cooper Stephenson had not yet replied to the clerk's letter.

75 **CEMETERY: REQUESTS**

The council considered requests

- a) to erect a pedestal and plaque in the immediate environs of the memorial seat on the northern boundary of the cemetery;
- b) to install a headstone of a height greater than the nineteen inches specified in the cemetery regulations;
- c) to permit the retention of fairy lights on grave number 4248;
- d) to install toilet at the cemetery.

The council decided that

- a) the pedestal and plaque (as per the applicant's specifications) could be erected on grave number 4151 or the plaque (as per the applicant's specifications) alone could be attached to the memorial seat on the northern boundary of the cemetery;
- b) a headstone of a height greater than the 19 inches could be erected on grave number 4255;
- c) the fairy lights could be retained;
- d) toilet facilities would not be installed in the cemetery but sign would be erected indicating the location of the nearest public toilets.

The council also responded to a complaint about a recent exemption from the cemetery regulations, and the type of memorabilia that could be permitted on a grave.

76 **CONTRACTS 2017-2019 AND BEYOND⁸**

i) Hanging Baskets

The council decided to enter into a contract with Barnes Nurseries to provide attractive and colourful bedding plants for twenty four hanging baskets. The contract price would include installation in mid-June, watering for fifteen weeks and removal in early October. The contract would run from 1 April 2017 to 31 March 2018.

Financial Regulations would be waived for this contract. The council was disappointed with the hanging basket display during the current year and wanted to establish whether working with a local provider would produce a display which would complement the work of Pickering in Bloom and strengthen the town's role as a visitor centre.

The cost to the council would be £2500.00.

⁸ Minute 47, 18 July 2016 and Minute 60, 15 August 2016.

76 cont.

ii) Legal advice

The council learnt that North Yorkshire County Council's Legal Services had reviewed the council's contracts and had stated that they met all relevant primary and secondary legislation save that the Public Contracts Regulations 2015 required the provisions below to be included in all public sector contracts:

- payment of undisputed invoices within 30 days of receipt (subject to any contractual or statutory obligation to pay earlier);
- consideration and verification of all invoices submitted by a contractor in a timely fashion and that undue delay in doing so was not sufficient justification for failing to regard an invoice as valid and undisputed.

The council noted that the relevant clauses in all its contract had been amended to incorporate the regulations and that the council's Financial Regulations would be amended to incorporate this requirement.

The council further noted that those contracts worth over £25000.00 during their term of operation would have to be advertised on the government's Contracts Finder. This would apply to the Verges and Play Areas Contract and, probably, once the community park became the responsibility of the council, the public toilet cleaning and the grounds maintenance contracts.

iii) Specifications: Footway Lighting Contract

The council decided against requiring the contractor to bulk change the lamps during the contract term. This was unnecessary partly because the lamps now used lasted longer than in the past and the recently installed LED lanterns could last up to ten years.

iv) Specifications

The council approved the specifications for all the contracts that would go out to tender in November.

77 COUNCIL REPRESENTATION ON PICKERING IN BUSINESS

The council appointed Councillor Lovejoy as its representative with Pickering in Business.

78 FINANCE

i) Councillors Audit - August 2016

The council

- resolved that the report of the audit undertaken on 9 September 2016 that financial transactions in August had been undertaken according to internal control policies and procedures, be received and endorsed;
- received and noted a) changes to the asset register between 31 July 2016 and 31 August 2016 and b) the revised value of its current assets.

Asset value b/f 31 July 2016	£255355.43
Assets purchased since July 2016	

11 new column lights with LED lanterns	£ 4345.00
Assets disposed of since July 2016	
11 column lights	£ 2160.18
Asset value c/f 31 August 2016	£257540.25

ii) Delegated decisions by the clerk

The council noted and endorsed the decisions taken by the clerk since 16 August 2016.

iii) Footpath salting

The council decided that the district council be asked to salt when appropriate a) Riverside Walk, b) the steps leading up to, and the paths running through, the front of closed churchyard and c) the footpaths in the open space at Smiddy Hill. These were the footpaths in Pickering for which the town council was responsible.

Based on operations last year, it was thought that a) and b) would be salted by 9am, and c) before 12 noon. Streetscene Operations would assess the situation based on weather reports and conditions at 5.30am each morning and act accordingly.

iv) Wet pour repairs: Hawthorn Lane play area⁹

The council decided to accept the quotation from Streetscape Products and Services Ltd to repair several wet pour edges in the amenity. The cost to the council would be £3225.00.

The council was advised that further repairs should not be undertaken automatically rather replacement of the wet pour surface by grass mats should be considered as this might be the less expensive option in the longer term.

v) The Public Clock: Auto-wind (Chimes)¹⁰

The council

- accepted the quotation of £1032.00 ex Vat from Smith of Derby to repair the auto-wind;
- decided against installing a pull-off system which would stop the chimes from striking during the early hours of the morning;
- received and noted historical information about the chimes and the clock.

⁹ Minute 36v) 20 June 2016.

¹⁰ Minute 58iii), 15 August 2016.

78 cont.

vi) Requests for grants¹¹

The council considered requests for financial help from Christmas Lights and Musical Memories and decided to make grants of, respectively, of £500.00 and £300.00 under s1(1) of the Localism Act 2011.

Councillor Oxley provided the council with an update on the Christmas Lights project for 2016.

vii) Pickering Playing Fields Association (PPFA)

The council

- was reminded that the play areas at Manor Drive and Hawthorn Lane were held in trust by the PPFA but the management was the responsibility of the council under agreements dated 1990 and 2011;
- was informed that through the good offices of Hague and Dixon, issues relating to the trusteeship were being resolved and two new trustees would be appointed;
- noted that the trustees might approach the council for a grant to meet the cost of public liability and trusteeship insurance cover.

viii) Investments

The council learnt that recommendations would be brought to the ordinary meeting in October.

ix) Financial Statement: August 2016

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

x) Accounts paid and due for payment¹²

The council resolved that the September accounts paid and due for payment totalling £9362.40 be approved.

79 GARDEN WAY PLAY AREA/64 INGS GARTH

The council

- noted that the Health and Environment Manager, Ryedale District Council, had reported that his staff had found no evidence of rats in the play area at Garden Way;
- would respond to the the Private Secretary to the local MP's request for information on the issues arising from the fallen tree in the Garden Way play area;
- would thank Ryedale Housing Association for its cooperation in having signage removed from the grounds of 64 Ings garth – the signage related to the issues arising from the tree that had fallen over the grounds of 64 Ings garth;

¹¹ Minute 51iii), 18 July 2016.

¹²Please see Appendix 3.

79 cont.

- received verbal reports from Councillors Lovejoy and Danks;
- was reminded that the council's insurers had not closed the claim which had arisen as a result of the tree falling over the rear of 64 Ingsarth.

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Town Mayor

Appendix 1

1. The working party met on 9 July 2016 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.

The working party drafted a series of responses which, having been approved by the council, were forwarded to DWH. DWH's responses, italicised, are given below.

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.

- 1 a). As you are aware works are progressing and I will be pressing the contractor to complete the initial works to the point we are maintaining and cutting the grass. Given the progress I will avoid putting a programme together or an end date (other than to say all seeding will be completed by October 2016). As you are aware from our numerous meetings on site the ground has been prepared by power harrow (several times now) and as such will be seeded and maintained by BDW until hand over. The allotments will also be progressed toward completion.*

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.

- 1 b). *The final basin designs have been submitted to YW and I am awaiting final approval in writing. Yorkshire Water will take freehold responsibility for the detention basin including a 3 meter level strip around the depression. It might be that whilst YW own the strip it would be tidy for the Town council to keep the grass cut around the top of basin. This might be under licence and no liability would be transferred to the Town Council. I think this could work and will discuss this with the Town Council when we next sit down. I would agree with what you say, and will ensure the interest of the Town Council are protected in any legal document.*

You are right that the District Council would need to agree the exclusion of the basin from your responsibility, as the terms of the S106 includes this feature as being transferred to the Town Council. Please be aware that the basin will not be fenced off in any way.

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.

- 1 c). *Once we have formulated the strategy for the flood water which crosses the community park we will need to submit and agree with the planning authority.*

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.

2 a). *BDW's obligation is to provide the community green space and the future play equipment and landscaping etc will be for the Town Council to progress and develop over time. I am sure your plans and ideas for the park will continue to change with the passage of time and to this end I would suggest that you liaise directly with the District Council and agree a strategy on the best and most flexible way to develop this green space. There is obviously an approved scheme in place but I don't imagine that the planning authority will issue an enforcement notice if you choose not to plant all the trees or shrubs designed. I would therefore not propose to produce any new detailed landscape proposals for submission / approval by the planning authority.*

- 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.

2 b). *I will arrange for a full Health and Safety File to be pulled together and this will include drawings, specifications, service/drainage details and warranties. This might take a day or two to produce and hopefully should be able to issue early next week. In terms of build cost I seem to remember issuing this information to you a year or two ago.*

There are no reference to changing facility on the drawings.

- 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.

2 c). *The access track was walked last year and any visible surface metals, foreign materials removed by hand. I would suggest the track is allowed to be grassed over which will look better aesthetically, and can be cut.*

I'm not clear on the second part of this item and would be grateful if you could clarify what the working party mean by protecting the track.

- d) A plan showing the new position of the LAP should be created.

- 2 d). *As indicated above I would assume that any changes to the landscaping / play areas are agreed between the Town Council and the planning authority.*
- 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.
- 2 e). *Allotments are fully prepared and ready for handover. I'm hoping to visit site later this week to inspect. I confirm galv. steel water troughs will be provided adjacent the two existing taps.*
- f) The hawthorn adjoining the A169 should be cut back before handover together with the hawthorn on the eastern boundary of the park.
- 2 f). *Agree. I will pick this up with our contractor.*
- 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.
- 2 g). *As you are aware the right of way was agreed and signed with Mr Pickering last summer. This was with the Town Councils input and agreement at the time. For information I attach the Deed.*
- 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.
- 2 h). *Agreed. We will carry out one further inspection of the Mr Pickering's Right of Way and remove any visible foreign materials.*
- 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.
- 2 i). *Unfortunately there is no provision in the Section 106 Agreement for BDW to make a contribution towards the installation of recreational facilities. Therefore BDW would not be able assist with this request.*
- j) Encroachment on the community park by the owner of 51 Woodlands Park.
- 2 j). *We have been back in touch with the occupier and given instruction to move the fence from the community park. We will monitor to the end of the month and if there has been no action we will arrange for a solicitors letter to be sent with a limited timescale attached.*

As you say below, we have been on site taking the benefit of the good weather which has allowed us to get to the point where the majority of the community park is prepared, seeded and under maintenance by our contractor. We will continue to cut the grass until handover. These works do not include any flood measures which are still under review. I would hope to be able to have a strategy in place before the winter sets in.

Please be aware we will have mechanical plant on the far tranche of land which will break up the surface stone and thereafter import clean topsoil to dress over before seeding this part of the green space. We will roll and maintain this area until handover.

Whilst we are still to resolve the subject of potential flooding of plots 50/51, it might be that we discuss the possible handover of the community park in phases which the S106 makes provision for. The first phase could be the allotments, the green space to the rear of the toilet block and the toilet block itself. This area is slightly elevated and unaffected by the surface water run-off from the adjoining field to the north. This handover will allow you to allocate the allotments and create some activity which should be a positive advance for all. Let me know the Town Council's view on this.

Appendix 2

Report on the meeting between the working party and Mr K Lerums, DWH, which took place on 7 September 2016

Present: Councillors Oxley, Lovejoy and Stott, and Mr K Lerums, Development Manager, David Wilson Homes Yorkshire East

1. Those areas in the park which have not been seeded, have been or about to be, power harrowed to break up the stones. The contractor was using a roller to compact and level the surface. Top soil would be brought in to regrade the western meadow, the depth of soil increasing from east to west. The contractor intended to cut the seeded areas during week beginning 11 September 2016.

Comments

- a) There were still stones in the seeded areas though many of these seemed to be flush with the surface.
 - b) There were sown areas where huge numbers of Broad Leaf Docks were growing. They could be controlled by mowing; however, their number suggested that weed killer needed to be applied before the grassed areas were cut. DWH will discuss with the contractor sequencing the application of weed killer with grass cutting.
 - c) There were other weeds growing by, and on, the circular track.
 - d) DWH would provide the council with the size of each of the main sections of the park. This information would inform the council's discussions with grounds maintenance contractors.
2. The allotments were being power harrowed. DWH suggested that fences should be erected between the plots; however, the working party stated that there should be grass (turfed) paths as agreed. DWH would box the water taps and install locks to ensure that no one other than council employees and plot holders have access to them.
 3. The transfer of the detention basin to Yorkshire Water would be covered by a legal agreement. The agreement would incorporate a right of access. Discussions have to take place between DWH, Yorkshire Water and the Environment Agency as the utility wanted to remove the lining; however, this might not be acceptable to the agency. The basin was to be regraded so that the sides would be far less steep (1:6 as against 1:4): neither the utility nor DWH thought that either a boundary hedge or fence was now necessary. At least one of the trees at the north western edge of the basin would have to be felled. The utility would create a three metre grass track around the edge of the basin and the council would be asked to cut it under licence. There would be no liability arising from this activity were the council to do it. The sides and bottom of the basin would be cut three times a year by the utility. The extent of the area to be transferred to the utility would not mean that the current alignment of the circular track would need to be moved northwards.
 4. DWH was still exploring a range of options to protect the properties at the southern edge of the park from flooding, more particularly to protect properties 50 and 51 which adjoin Love Lane.

Comment

DWH appeared to have forgotten the importance of their previous proposals (two lines of French drains) for protecting dwellings in Woodlands Park, which would have helped drain the south-eastern corner of the park eg those areas in which the LAP and the LEAP might be located, and to prevent a section of the circular path from flooding. DWH appeared to have forgotten that the eastern areas of the park within the circular path did not drain easily which would deter members of the public from using them and stop the council's ground maintenance contractor from cutting the grass. DWH would reconsider this issue and inform the council as to what the company would

do and why, and state when the work would be undertaken. DWH recognised that another meeting with the working party and a company drainage engineer might be needed.

5. The council needed written assurance that a flexible approach to landscaping was acceptable to the planning authority. Reference was made to the requirements for landscaping the park in the Planning Conditions (Condition 45).
6. The council could access the toilets so that an estimate for cleaning the amenity could be made. DWH would identify exactly where the drains junctioned with Yorkshire Water's main drain. DWH was reminded about the need to remove the changing table; however, the cost to the company of this amenity was several thousands of pounds and the working party was reminded that access to the disabled toilet (where the changing table was housed) would be by radar key.
7. DWH had provided the working party with a copy of the Deed of Release and Grant which related to Mr Pickering's right of access to his land on the northern border of the park; however, councillors queried whether part of the documentation was missing as there was no clause which stipulated the council's obligation to repair the access track when necessary. (It was noted that the track had not been used to harvest the corn this summer.) DWH would establish whether any documentation was missing. The company would also ensure that the access track had been cleared of plastic and metal detritus before handover.
8. The member of the public who had encroached on the community park was to be given until the end of the October to realign the fence on the northern part of his property with the boundary specified in his conveyance.
9. DWH would formally approach the council about
 - a) a phased handover (Phase 1: the far eastern end of the park (car park, toilets, allotments, farmer's access track));
 - b) taking responsibility for maintaining the green corridors in Woodlands Park. (DWH would verify its ownership of all the corridors, establish which of the corridors were public rights of way (or claimed public rights of way), and identify which areas would need gardening.)

Appendix 3				
Voucher Number	Payee	Description	Gross Amount	Power
71	Natwest Bank PLC	Bank charges July 2016	£ 21.59	Local Government Act, 1972 s111(1)
72	Jewson Ltd	Paint and materials for re-painting play area fences	£ 142.59	Open Spaces Act 1906, s10(b)
73	YLCA	Two training courses	£ 90.00	Local Government Act 1972, s111(1)
74	allgardens ltd	Watering hanging baskets	£ 600.00	Open Spaces Act 1906, s10(b)
		Grounds maintenance August 2016	£ 2880.00	Open Spaces Act 1906, s10(b)
75	Dulux Decorator Centre	Fence paint for play areas	£ 74.30	Open Spaces Act 1906, s10(b)
		Paint and materials for re-painting railings at Riverside Walk	£ 127.51	Open Spaces Act 1906, s10(b)
76	Yorkshire Water	Water charges for cemetery second quarter	£ 9.68	Open Spaces Act 1906, s10(b)
77	Mrs A Dawson	Travel expenses for attending two training courses	£ 39.92	Local Government Act, 1972 s111(1)
78	Councillor Lovejoy	Claim from Mayor's Allowance	£ 70.00	Local Government Act, 1972 s111(1)
79	Salaries and related payments	September 2016	£ 4387.41	Local Government Act, 1972 s112(2)
80	Yorkshire Water	Water charges for Smiddy Hill drinking fountain	£ 17.41	Open Spaces Act 1906, s10(b)
81	Nick d'Alquen Decorators	Remove and repaint notice boards	£ 150.00	Open Spaces Act 1906, s10(b)
82	PWMCT	Rent/Services October 2016	£ 600.00	Local Government Act 1972,s111(1)
		Hire of meeting room 17.10.16	£ 25.00	Local Government Act 1972,s111(1)
83	PCX Computer Services	Broadband line rental August 2016	£ 17.99	Local Government Act 1972,s111(1)
84	EDF Energy	Electricity charges town clock lighting	£ 13.00	Parish Councils Act 1957, s2
85	EDF Energy	Electricity charges cemetery storage shed	£ 8.00	Local Authorities' Cemeteries' Order 1977
86	Ryedale District Council	Cemetery rates October 2016	£ 88.00	Local Government Act 1972, s214(2)
Total paid or due for payment September 2016			£9362.40	