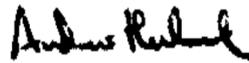


Pickering Town Council

Notice is hereby given that the next meeting of Pickering Town Council will be held at the Memorial Hall, Potter Hill, Pickering on Monday 20 March 2017 at 7.00pm and all members of the said council are hereby summoned and required to attend to transact the business listed below.

1. To receive apologies and approve reasons for absence.
2. To deal with any applications for dispensations from members of the council.
3. To approve the minutes of the ordinary meeting of the council held on 20 February 2017.
4. To allow members of the public to make representations, answer questions and give evidence in respect of any item of business on the agenda, and to provide an opportunity for presentations to be made to the council.
5. To note the town mayor's recent engagements.
6. To receive and note members' reports.
7. To receive and note the town clerk's report.
8. To
 - i) note the outcomes relating to five planning applications;
 - ii) formulate responses to the applications listed below:
 - 17/00117/FUL - change of use and alterations to former mill to form two two-bedroom residential units together with formation of vehicular access to the High Mill, Undercliffe;
 - 17/00119/FUL – erection of a three bed dwelling with parking and amenity areas on land to the rear of the Old Manse, Middleton Road;
 - NY/2017/0054/73A - retention of prefabricated classroom unit 3109 (178 sq. metres) for a further 6 years on land at Lady Lumley's School;
 - 17/00237/HOUSE – erection of two single storey extensions and erection of double garage to replace detached single garage at October House, 141 Middleton Road.
9. To receive information from the Head of Planning and Housing, Ryedale District Council, about the Protest Camp at Bean Sheaf, and respond to local concerns about the camp.
10. To receive and respond to further information about the Tour de Yorkshire on how the event will be promoted and celebrated in the town.
11. To note that the engineer's report on the auto-wind has been forwarded to the Parochial Church Council, and receive and respond to advice on whether the town clock is a war memorial.
12. To give further consideration to the Annual Town Meeting to encourage electors to attend the event.
13. To receive and respond to advice on the legal agreements which deal with the transfer of amenity space to the council.
14. To respond to an offer from Northern Gas Networks.
15. To respond to Stape Silver Band's request to hold a concert on Smiddy Hill on 7 May 2017.

16. To respond to concerns about rally car movement in Swainsea Lane.
17. To receive and respond to a report on allotment management.
18. Finance
 - i) To receive and endorse the report of Councillors Audit for February 2017;
 - ii) to sanction the decisions taken by the clerk (re Openness of Local Government Bodies Regulations 2014) since 20 February 2017;
 - iii) to receive the financial statement for February 2017;
 - iv) to approve the March accounts paid and due for payment.



.....
Andrew Husband
Town Clerk
14 March 2017

Pickering Town Council
Memorial Hall, Potter Hill, Pickering, YO18 8AA
01751 476503
townclerk@pickering.gov.uk

Guide to the Agenda

The council's code of conduct: disclosure of interests and participation

1. Where a matter arises at a meeting which relates to an interest in Part A of the member's Register of Interests, the member shall:
 - a) declare what his/her interest is (if not already entered into his/her register or if the monitoring officer has yet to be notified);
 - b) not participate in a discussion or vote on the matter;
 - c) leave the meeting room entirely while the matter is discussed and voted upon.
2. Subject to paragraph 1 above, where a matter arises at a meeting which relates to an interest in Part A which is a sensitive interest, the member shall disclose that he/she has an interest but not the nature of it.
3. Where a matter arises at a meeting which relates to an interest in Part B of the member's Register of Interests, the member:
 - a) shall declare what his/her interest is (if not already entered into his/her register or if the monitoring officer has he to be notified or if he/she speaks on the matter);
 - b) may make representations, answer questions or give evidence in respect of the item given that members of the public are given the same entitlement;
 - c) may not vote.
4. Subject to paragraph 3 above, where a matter arises at a meeting which relates to an interest in Part B which is a sensitive interest, the member shall disclose he/she has an interest but not the nature of it.
5. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Part A), the member:
 - a) shall disclose the nature of the interest;
 - b) may make representations, answer questions or give evidence in respect of the item given that members of the public are given the same entitlement;
 - c) leave the room entirely while the matter is discussed and voted upon.
6. Subject to paragraph 5 above, where the interest is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

Appendices

Appendix 1	Agenda item 3	Minutes: ordinary meeting of the council
Appendix 2	Agenda item 5	Standing orders re public participation and guidance on recording of meetings
Appendix 3	Agenda item 7ii)	Moorsbus
Appendices 4 and 5	Agenda item 13	Legal agreements
Appendix 6	Agenda item 18ii)	Clerk's decisions
Appendix 7	Agenda item 18iii)	Financial Statement
Appendix 8	Agenda item 18iv)	Accounts

Not all the appendices are incorporated in this document.

Agenda item 1 – Apologies for absence

Agenda item 2 – Code of Conduct: dispensations

To deal with any requests for dispensations that members of the council have submitted.

Agenda item 3 – Minutes

Please see Appendix 1.

Recommendation

- that the minutes of the ordinary meeting of the council held on 20 February 2017 be approved.

Agenda item 4 – Public participation and presentations

An opportunity

- for members of the public to make representations answer questions and give evidence in respect of any item of business to be transacted at the meeting.¹
- for presentations to be made to the council.

Agenda item 5 – Town Mayor’s engagements

11 March 2017 Flamingo Land 10K Run

17 March 2017 Malton Civic Service

Agenda item 6 – Members’ reports

Agenda item 7 – The town clerk’s report

i) Council meeting schedule: April-May²

April			
7	Councillors Audit	Kitching Room	9am
24	Ordinary meeting of the council	Mill Room	7pm
25	Annual Town Meeting	Mill Room	7.30pm
May			
5	Councillors Audit	Kitching Room	9am
15	Annual meeting of the council	Mill Room	7pm
15	Ordinary meeting of the council	Mill Room	7.30pm

¹ Standing Orders 1c-1 apply. Please see Appendix 2.

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

Agenda item 7 cont.

- ii) Notes, magazines, documents lodged in the council office:
- Minutes of the annual meeting the Ryedale Neighbourhood Watch, 2 February 2017;
 - Police report for Pickering, February 2017;
 - The county council's enewsletter *North Yorkshire Now*, March 2017;
 - news bulletin (March) from the Yorkshire Derwent Partnership;
 - *Corbie Infos*, Issue 105, January 2017;
 - briefing about the Moorsbus project.³
- iii) The Small Works Contractor inspected the commemorative cross on Smiddy Hill on 17 February 2017. The contractor writes: "We found the condition of the cross to be unchanged since last year. In our opinion the cross does not require any remedial work and is in good condition considering its age."
- iv) The Valuation Office Agency has to treat two or more separated spaces within the same building but owned, leased or rented by the same business and accessed through communal areas as one property for assessment purposes. This means that the council office and the storage room in the Memorial Hall have to be given separate valuations. The office now has a rateable value of £2500.00, the storage room £270.00. The former rateable value of the two rooms treated as one property was £2750.00. The new valuation is backdated to 1 April 2015.⁴
- v) The meeting of the council's planning committee scheduled for 7 March 2017 had to be cancelled because a quorum was not present.
- vi) The next meeting of Ryedale Five Towns will be held in the National Park building on 13 June 2017.
- vii) A complaint to the Monitoring Officer has been made against a member of the town council.

Agenda item 8 – Development Control

i) Outcomes: recent planning applications

The outcomes relating to six applications have been received:

- 16/01963/FUL- formation of an additional car park to serve Forestry Commission District Office, Outgang Road – approved;⁵
- 16/02024/LBC – installation of en-suite bathroom within a bedroom with soil pipe exiting adjacent to existing rear soil pipe at Lowther House, Newbridge – approved.⁶
- 17/00022LBC - formation of basement toilet and utility area with external ducting and pipework to existing soil vent pipe at The Old King's Head, 1A Willowgate - approved;⁷
- 16/01893/FUL - erection of one pair of two bedroom semi-detached dwellings with parking and amenity areas on land at Westfield House, Firthland Road – approved;⁸
- 17/00033/HOUSE – erection of two storey extension to east elevation and replacement detached garage at 29 Thornton Road – approved;⁹

³ Appendix 3.

⁴ Minute 109v), 21 November 2016.

⁵ Planning Committee Minute 34, 3 January 2017 – no objections.

⁶ Minute 135, 16 January 2017 – no objections.

⁷ Minute 148, 30 January 2017 – no objections.

⁸ Minutes 118 and 148, respectively 19 December 2016 and 30 January 2017 – no objections.

⁹ Minute 148, 30 January 2017 – no objections.

Agenda item 8i) cont.

- 17/00040/LBC – external alterations to include installation of five replacement timber-framed double-glazed casement windows to north, south and west elevations of 25 Undercliffe – approved.¹⁰

NB These planning applications can be viewed at <http://www.ryedale.gov.uk/residents/planning/view-a-planning-application.html>.

ii) Planning applications to be considered

- a) 17/00117/FUL - change of use and alterations to former mill to form two two-bedroom residential units together with formation of vehicular access to the High Mill, Undercliffe;
- b) 17/00119/FUL – erection of a three bed dwelling with parking and amenity areas on land to the rear of the Old Manse, Middleton Road
- c) NY/2017/0054/73A - retention of prefabricated classroom unit 3109 (178 sq. metres) for a further 6 years on land at Lady Lumley's School;
- d) 17/00237/HOUSE – erection of two single storey extensions and erection of double garage to replace detached single garage at October House, 141 Middleton Road.

NB Planning applications a), b) and d) can be viewed at <http://www.ryedale.gov.uk/residents/planning/view-a-planning-application.html>. Planning application c) can be viewed at <https://onlineplanningregister.northyorks.gov.uk/register/PlanAppSrch.aspx> using the planning application reference number NY/2017/0054/73A).

Agenda item 9- Protest Camp, Bean Sheaf

This agenda item gives the council the opportunity to respond to information from the Head of Planning and Housing, Ryedale District, about a forthcoming inter-agency meeting about the camp, and concerns about the camp from local residents.

Agenda item 10 – Tour de Yorkshire 2017¹¹

The purpose of this agenda item is

- a) **receive further information about the Tour;**
- b) **receive and respond to**
 - **ideas for dressing the route together with an estimate of what the realisation of ideas might cost;**
 - **an application for funding for same from Welcome to Pickering. (The application will be available at the meeting.)**

- a) From the Economy and Community Manager, Ryedale District Council

*(The anticipated timings through Pickering are between 2.57 and 3.11pm on 28 April.)
For community information – the 15:04 train to Scarborough and the 15:13 train to York have been cancelled that day.*

¹⁰ Minute 148, 30 January 2017 – no objections.

¹¹ Minute 121i), 19 December 2016.

Agenda item 10 a) cont.

For Community event holders: please let Bob Brayshaw, Tour Manager, bbrayshaw@yorkshire.com know what is happening in your area, so that he can inform moto outriders and also TV crews.

For Schools: Please can you let me know by 10th March if you will be needing any support from NYCC Highways with respect to marking out verges for your pupils to view the race.

All information relating to the race, including the map of the route, is on the <http://letour.yorkshire.com/> website.

Agenda item 11 – The Town Clock¹²

i) The Strike Train Auto-wind Unit

The council is asked to note that Smith of Derby’s report on the nature of the repair undertaken on the unit, dated 22 February 2017 (Ref H/22833/PBS/BP), was sent to the Secretary of the Parochial Church Council on 22 February 2017.

ii) The Town Clock: War memorial

The council is asked to receive and note advice from Yorkshire Local Councils’ Associations.

Agenda item 12 - The Annual Town Meeting

The council decided at the ordinary meeting in February that it would give further consideration to the meeting scheduled for 25 April 2017 when it met in March.

Agenda item 13 – The Council’s Play Areas

The town council owns five play areas in Pickering. These were planning gains. Three are sited in the Barratt estate (Greenlands, Paddock Close, Garden Way), the other two in the Persimmon estate (Otter Drive and Troutbeck Close). When these estates were developed, householders constituted a cross section of the age profile of the town. There were many parents with young children. As a result, the play areas were well used and continued to be so; however over at least the last five years, usage has declined considerably. It is not that the equipment is in poor condition or isn’t attractive to contemporary children. Rather the demographic profile of the occupants of these estates has changed and it is thought that the number of families is much smaller than before.

The council will undertake a thoroughgoing review of the five amenities in terms of location, usage, local demographic profile and maintenance costs. The review will precede the annual inspection of the play areas by Rospa and be concluded by the time of the finalisation of the budget for 2018-19.

A possible outcome of the review is that one or more of the play areas might be closed but given the legal agreements by which the council acquired these amenities, it might not be possible to do so. Legal Services at the district council and NALC have given their opinions.

Please see Appendices 4 and 5 for the legal agreements.

¹² Minute 165, 20 February 2017.

Agenda item 14 – Offer to donate trees

From Northern Gas Networks

At Northern Gas we like to calculate our carbon emissions from the vehicles used during our replacement work. Where possible we like to donate the trees back to the area where the project took place. We understand this is not always possible, so we make donation to the forestry instead. We use a formula that generates how many trees we donate depending on the miles done. I believe our Pickering site is at approximately 58. But this can alter during the projects. (Should the council be interested in the offer, the company would then give it further consideration.)

Northern Gas Networks has been informed that any trees that are planted in the community park (together with their location) have to be approved by Ryedale District Council. The company has also been asked whether a cash sum might not be granted in lieu. The company has replied that such moneys are normally paid to a charity or trust. The company has been asked to consider paying a cash sum to the council – should the council be interested in the offer subject to the money being used to pay for trees for the community park.

Agenda item 15 – Request to hold a concert on the open space at Smiddy Hill

The band asks permission to play on the open space on 7 May 2017 in the afternoon.

Agenda item 16 – Rally car movement in Swainsea Lane

Concerns have been raised with the Highway Authority and the MP about safety issues in Swainsea Lane by members of the public. The concerns have arisen due to recent rally car movement in this part of Pickering.

Agenda item 17 – Allotments (Community Park)

The council is

- **asked to receive the notes below made by Mrs Dawson on the training session in allotment management organised by the Yorkshire Local Councils Associations.**
- **appoint Councillors Oxley and Andrew to work with the council staff on reviewing and revising the allotment regulations in the light of the information received at the training session;**
- **forward the information relating to the water supply, taps and troughs to David Wilson Homes Yorkshire East.**

Notes on the YLCA training day on allotment management

Types of Allotment

Allotments on land acquired by a Council to be used specifically for allotments are Statutory Allotments. Cannot be sold or used for other purposes without government consent. Eg Whitby Town Council wanted to create a footpath through its allotments and needed Secretary of State consent.

Agenda item 17 cont.

Demand for Allotments

Councils need to act reasonably if six residents ask for allotments. If there is a long waiting list over time councils should consider providing more allotments. Developers now encouraged to provide allotments or funding for allotments (£106). Recommendations that there are twenty plots available per thousand households in a parish.

Demand for allotments increasing but so are issues with high turnover of allotment tenants. Other councils report that younger people have unrealistic expectations of what is required to maintain an allotment.

Facilities

Minimum obligations

In statute council have to do no more than provide land to be cultivated. Any facilities provided need to be safe and easily accessible by disabled tenants.

Water

Seen as a problem by many. Some councils are not able to provide water but provide water butts. Collection of rainwater to be encouraged. Taps and water supply must comply with Water Fitting Regulations 1999. Councils with a tap to be used freely are experiencing high water usage and high bills.

Recommendation is a water trough (also known as a dipping trough) – similar to the type farmers use for animals. Easily plumbed into water supply and fitted with a ballcock to automatically refill, typical cost of a trough £35 from farm equipment suppliers. Health and safety considerations? Considerations for elderly and disabled? Can be fitted with a lid or raised off the ground to prevent small children falling in. One council reported that they have removed their water troughs because of these risks. Troughs will need to be completely emptied and cleaned once a year. Some developers have agreed to provide new allotment sites with troughs, any taps fitted on a new allotment site have to comply with water regulations. A standard tap may not be sufficient.

Hosepipes to be discouraged (and can lead to backflow of soil and manure into water system). Greenhouses and poly tunnels on allotments are seen to increase water usage.

Sheds

Need to ensure that there are clear regulations about the maintenance of sheds, many council specify how often they should be repainted. Issues with tenants using sheds for non-gardening storage, specify in regulations what can be kept in the shed. Also specify that shed inspections will take place at regular intervals.

Consider the safe storage of chemicals, what can be stored and used? Storage of paraffin, petrol etc. Gas canisters/gas heaters/gas cookers – to be prohibited or not? Zurich insurance will provide a template risk assessment for allotments and a list of what should be allowed to be stored in an allotment shed.

Fences/Gates

Security an issue at many allotment sites, many councils report issues with vandalism and anti-social behaviour. Locked gates are recommended but locks with keys are seen to be a problem – tenants do not return keys when allotment tenancy ends and there are problems with lost keys. A security

Agenda item 17 cont.

deposit for any keys issued is advisable and possibly have something in the regulations about payment for lost keys. One council installed a number coded lock on the gate which was a problem as it could not be operated by some elderly tenants.

Need to think about disabled access. Local police and fire services should be key holders.

Rents

Vary widely – from £15 to over £200. £1 a week considered reasonable for an allotment but cannot compare like with like. Can the tenant pay by instalments? Method of payment/collection of rent? 12 months notice to be given of any rent increase.

Allotment Law

Paul Clayden – The Law of Allotments, 5th edition very useful.
Membership of National Allotment Society gives free legal advice – highly recommended - £55 a year subscription. Also access to a website with information and template documents.

Disposal of allotment land

Not straightforward, need consent of government. Allotments to be retained wherever possible.

Day to day management

Robust tenancy agreement to be signed by the tenant and a separate policy document setting out additional rules. Communication essential – consider a separate website and/or social media.

Devolved management by way of an allotment association seen as the best way forward, closely working with and reporting back to the council. Council has overseeing and final decision making role. Issues at Whitby Town Council with this not working – confusion about who does what, allotment association coming to the council too often with problems. Other councils report very successful relationships with their allotment associations.

Waiting lists. Council has a duty to promote allotment use, consider opening a second waiting list for those outside the parish. Review waiting list annually, advertise for new tenants. Councils have experienced problems with family members inheriting an allotment tenancy, seen as jumping the queue. Complicated legal procedures to follow if a tenant dies – rights to their crops etc. It is recommended that only annual crops are allowed to be grown for this reason.

Half plots seem to create many issues – full plots more easy to manage on the waiting list but many people struggle to manage a full plot and families more likely to take up an allotment tenancy if they can have a half plot. Some allotment holders have a full plot but only use half of it, covering the other half with weed membrane to keep it tidy.

Health and Safety

Need to look at the Occupiers Liability Act, risk assessments and public liability insurance. Should have something in the regulations about insurance. Individual allotment holders are not covered by the council's insurance unless a specific policy is taken out. Public liability insurance is to cover the communal/public areas of the allotment site only. Council's own insurance company should be the first point of contact for advice and information.

Agenda item 17 cont.

Tenancy Agreement

Legally binding document. Parties, term, rent, cultivation and use (Allotments Act 1922), sub-letting, conduct, termination, observation of conditions of lease. Any amendments to terms need twelve months notice to be given – suggest reissuing the whole document if there are any changes.

Allotment Policy

This forms an appendix to tenancy agreement. Covers sheds and structures, water, trees (suggest dwarf trees only), bonfires (specify what can be burned), waste disposal, cultivation standards. Also possibly paths, livestock, dogs, storage of chemicals, security, composting, perennial crops, invasive crops such as bamboo and willow. Carpet not advised as a method of weed control as it contains plastic which can be toxic, even expensive carpets contain dyes which are harmful to environment.

Livestock

Legal right to keep rabbits and hens but some councils advise tenants that they would prefer livestock not to be kept on the allotments. Animal welfare legislation overrides legal right to keep livestock. Bees are a separate issue (not a legal right). Council have had issues with other livestock (horses/cats/pigeons etc) so need to make this clear in the regulations.

Inspections

Suggest monthly inspection. Put in writing the right to have access and take photographs of each plot. Cultivation standards? Be realistic. Twenty eight days notice of improvement if necessary, right of appeal. Set out these rules in writing. Consider giving access to horticultural advice on the website, how can allotment holders be helped to manage their allotments? Make sure the council is aware of the legal rights of allotment holders.

Pest Control

Rats being reported as a problem – consider making compost heaps as rodent proof as possible and use wire to try and stop rats nesting in the compost heaps. Fencing should be as rabbit proof as possible. www.thinkwildlife.org.

Agenda item 18 – Finance

i) Councillors Audit - February 2017

Recommendation

- **that the council receives and endorses the report on the audit carried out on 3 March 2017.**

The audit

- Receipts
The receipts sheet (cash book) was checked against the current account paying in book, bank statements and invoices. Invoices were checked to see that the correct fees had been charged.

Agenda item 18i) cont.

- **Payments**
The payments sheet (cash book) was checked against vouchers, monthly accounts paid and due for payment, cheque counterfoils, bank statements and analysis sheets.
- **DDs and SOs** as recorded on the bank statements were checked against the appropriate annual, quarterly or monthly statements that had been issued by creditors.
- **Petty cash**
Entries in the petty cash book were checked against receipts and payments (cash book) and the evidence of the receipts themselves. The cash was counted to establish that the money corresponded to the balance in receipts and payments and all relevant documentation checked to establish the exact number of castle passes issued.
- **Transfers:** £6000.00 from reserve to current on 21 February 2017.
- **Wages**
The amounts on the wage slips were checked against the cheques for employees, HMRC, NYCC Pension Fund and the percentages used in calculating pension contributions.
- **Vat register**
The Vat to be reclaimed is £547.27.
- The bank reconciliation as at 22 February 2017 was checked and was found to agree with the cash book and relevant statements.

ii) Delegated decisions by the clerk

Please see Appendix 6.

The council is asked to endorse the decisions taken by the clerk since 20 February 2017.

iii) Financial statement, February 2017 (Appendix 7)

The council is recommended to receive and note the financial statement for February 2017.

iv) Accounts (Appendix 8)

The council is recommended to approve the March accounts paid and due for payment totalling £12618.45.

Appendix 1 – Agenda item 3

Draft minutes of the meeting of Pickering Town Council held on 20 February 2017 in the Memorial Hall, Pickering

Present: Councillor J Andrews, Councillor H Haythorne, Councillor S Jenson, Councillor J Lovejoy, Councillor H McAnulty-Rickard, Councillor W Oxley, Councillor E Randall, Councillor E Richardson, and Councillor J Stott.

Two members of the public were present at the meeting one of whom reported for the Gazette and Herald.

155 APOLOGIES FOR ABSENCE

The council received and accepted apologies for absence and reasons for same, from Councillors Baker, Danks and Woodward.

156 APPLICATIONS FOR DISPENSATIONS

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

157 MINUTES

The council resolved that the minutes of the ordinary meeting held on 30 January 2017 be approved.

158 PUBLIC PARTICIPATION AND PRESENTATIONS

Neither member of the public wished to address the council.

159 TOWN MAYOR'S ENGAGEMENTS

26 January 2017 Alba Rose Burns Lunch

160 MEMBERS' REPORTS

The council received and noted

- a verbal report from Councillor Jenson on the monthly litter pick and the recent meeting of Pickering in Bloom;
- a written report from Councillor Lovejoy on the meeting of Pickering in Business held on 7 February 2017.

The council decided to make every effort to publicise the monthly litter pick.

161 **THE TOWN CLERK'S REPORT**

iii) Council meeting schedule: March-May¹³

March			
3	Councillors Audit	Kitching Room	9am
7	Planning Committee	Kitching Room	7pm
20	Ordinary meeting of the council	Mill Room	7pm
April			
7	Councillors Audit	Kitching Room	9am
24	Ordinary meeting of the council	Mill Room	7pm
25	Annual Town Meeting	Mill Room	7.30pm
May			
5	Councillors Audit	Kitching Room	9am
15	Annual meeting of the council	Mill Room	7pm
15	Ordinary meeting of the council	Mill Room	7.30pm

- iv) Notes, magazines, documents lodged in the council office:
- YLCA's White Rose Update, January 2017;
 - Police Report, Pickering, January 2017;
 - the minutes of the meeting of the Community and Police Group Tier 2, Pickering and Area, held on 18 January 2017;
 - the county council's *North Yorkshire Now*, February 2017.
- iii) The district council would not be levying a special expense for the maintenance of the (rear) closed churchyard.
- iv) The next meeting of the Ryedale Five Towns would be on 7 March 2017 at Kirkbymoorside. The agenda could include presentations from Next Steps, Ryedale District Council (Community Officers), and an officer from the Emergency Planning Unit, North Yorkshire County Council.
- v) Financial information for 2017/18 had been forwarded to the billing authority for inclusion in the Council Tax leaflet. This was a requirement when a precept at or above £140000.00 was levied.¹⁴
- vi) The council's insurers had replied to the CAB re the fallen tree, Garden Way play area, 64 Ings garth.¹⁵
- vii) Yorkshire Local Councils Associations had forwarded the legal agreements governing the play areas in the Barratt Homes and Persimmon estates in Pickering to the NALC solicitor for an opinion about what the council could and could not do with these amenities.
- viii) The installation of the zip wire would take place during week beginning 20 February 2017.¹⁶

¹³ Meetings are held in the Memorial Hall unless otherwise stated.

¹⁴ Minute 154iv) 30 January 2017.

¹⁵ Minute 147iv), 30 January 2017.

¹⁶ Minutes 87 and 103, respectively 17 October and 21 November 2016; Minute 119, 19 December 2016.

161 cont.

- ix) The county council's Ryedale Area Committee would meet at the National Park Office in Helmsley on 22 February 2017 at 10.30am.
- x) An email had been received from two members of the public expressing their concerns about the Protest Camp at Bean Sheaf. The concerns would be an agenda item at the ordinary meeting in March.

162 DEVELOPMENT CONTROL

iii) Outcomes: recent planning applications

The council received and noted the outcomes which related to two applications.¹⁷

iv) Planning applications considered at the meeting

The council had no objections to:

- a) 17/00076/TPO - to reduce a single limb by a maximum of two metres and crown thin a lime within G1 of TPO no 35/01966;
- b) 17/00141/CAT – removal of one sycamore from the Old Rectory, 23 Hallgarth.

The council decided that the application for a Certificate of Lawfulness for the erection of a two bedroom log cabin, ancillary accommodation to Eastgate House in Malton Road, should be supported.¹⁸ The applicant appeared to have successfully challenged, by reference to, amongst other things, case law and precedent, the evidence which had supported the district council's earlier refusal to grant a certificate.

163 MONDAY MARKET CONSULTATION EXERCISE¹⁹

The council received and noted the results of the consultation exercise which had been undertaken on 6 February 2017, an exercise which had come about through the positive feedback from members of the public and some market traders when the market had been temporarily located in the Ropery car park in 2016.

The council decided against running another consultation exercise on whether the market should remain in the Market Place or move to the Ropery car park: the majority of parishioners, non-parishioners and town centre businesses had clearly preferred that the market remain in the Market Place. The council noted that several respondees, though unsolicited, thought that the market should be improved, and therefore, confirmed that it would run an exercise in the early Summer to ask members of the public what improvements should be made.

¹⁷16/01818/FUL – change of use of agricultural land to a haulage yard to include lorry wash, road fuel storage, siting of security container, portable site office and toilet/wash and rest room, earth bunding to west boundary of site, landscaping and formation of vehicular access on land to the west of Malton Road - withdrawn; 16/02029/LBC – internal alterations at 63 Westgate to include installation of block-rendered wall and ledged-and-braced door between the living room and dining area – approved.

¹⁸17/00098/CLOPUD - Certificate of Lawfulness for a proposed use or development in respect of the erection of a two bedroom log cabin to provide ancillary accommodation to Eastgate House in Malton Road (revised details to refusal 16/01054/CLOPUD dated 15 August 2016);

¹⁹Minute 17, 16 May 2016; Minute 30, 20 June 2016; Minutes 96 and 102ii), 21 November 2016; Minute 135, 16 January 2017.

163 cont.

The Highway Authority would be consulted to establish whether additional stalls could be accommodated in the Market Place and whether the stalls might be arranged in different ways to create the spaciousness that members of the public had experienced in the Ropery car park but not at the expense of making them feel less safe.

The council also received and noted a copy letter from the Trustees of the Beck Isle Museum and Rural Life to the district council. The Trustees wanted the market to remain in the Market Place.

164 TOUR DE YORKSHIRE 2017²⁰

The council was briefed on Pickering in Business' ideas for dressing the route through Pickering:

- residents and businesses along the route would be encouraged to put up bunting, fly flags, put out yellow bicycles;
- a street art installation for the roundabout;
- the Infants and Nursery School would be encouraged to dress the junction of Ruffa Lane and the A169;
- an appropriate installation for the community park (subject to permission being granted by David Wilson Homes Yorkshire East);
- decoration of the church tower.

The council decided to promote the event through social media and check that all Pickering's schools were aware of the event. Every attempt would be made to ensure that anyone who would be dressing part of the route would give details to the council office and Welcome to Pickering.

165 TOWN CLOCK²¹

- i) The council noted
 - its appreciation of the Parochial Parish Council in applying for a faculty for the repair and re-installation of the auto wind;
 - the installation had taken place on 3 February 2017.
- ii) The council learnt that the Chancellor of the Diocese of York required a conservator's report together with a comprehensive scheme of repair and a maintenance plan. A deadline of 30 September had been set for the submission of same to the Diocesan Office. The requirement followed the recommendations of Diocesan Clock and Bells Adviser who had inspected the clock in autumn 2016.

The council further learnt that Smith of Derby Ltd had responded to the report and, having noted its contents, decided to send it to the church authorities for their comments.

²⁰ Minute 121i), 19 December 2016.

²¹ Minute 58iii), 15 August 2016. Minute 78v), 19 September 2016; Minute 85iv), 17 October 2016.

165 cont.

- iii) The council was reminded that the current peal of eight bells and the chimes were a war memorial and that the Diocesan Clock and Bells Adviser had reported that “the implication of using the clock on the War Memorial bells therefore by implication also could be said to cause the clock to become part of the War Memorial”. Later in his report the adviser had written that “There seems to be a number of issues here which as this clock is a War Memorial could be addressed”. And later still “As this clock is a War Memorial (in fact the clock and bells are then funding should be available for conservation fund from the War Memorial Fund”.

The council decided to contact the church authorities to ask for more information on the evidence which would designate the clock as a war memorial including case law and precedent.

The council further noted that the Yorkshire Local Councils Associations have been asked to advise on whether the clock was a war memorial; however, although the Associations had commented on the legislation which gave local councils the power to repair war memorials, they had not commented on whether the clock should be regarded as a war memorial. A request for advice on this specific head would be forwarded to them.

166 THE ANNUAL TOWN MEETING

The council received and noted

- guidance on the annual town meeting, taken from “Arnold-Baker on Council Administration” and the Yorkshire Local Councils Associations;
- the date of the Pickering meeting: 25 April 2017.

The council discussed how the event could be publicised (apart from undertaking the statutory requirements) and decided to use social media and approach local schools to promote the meeting in their newsletters. The view was put forward that organisations which had received grants from the council should be invited to talk about their activities. Further discussion would take place at the March meeting of the council.

167 INTERNAL CONTROL

The council reviewed the effectiveness of the system of internal control thereby meeting the the obligation required by s6 of the Account and Audit Regulations 2015.²²

The council

- established that
 - a) the fidelity guarantee covered the moneys held in the council’s accounts;
 - b) the procedures for checking the movement of assets and changes to valuations in the Asset Register had been followed;
- noted that at each monthly meeting it received an analysis of payments and receipts against budget provision together with the consequences for the council’s balances.

²² Regulation 4, Accounts and Audit Regulations 2011. Also Councillors Audit terms of reference ii)j).

167 cont.

The council decided to improve financial regulations and the financial risk assessment by making a series of amendments which would bring the documentation into line with current practice.

Financial Regulations

- 4.5 Insert “The salary budgets are to be reviewed during the budget evaluation process (usually December to January) for the following financial year and the outcome minuted” instead of “The salary budgets are to be reviewed at least annually in November for the following financial year and the outcome minuted”.
- 5.4 Insert “A list of payees and payments appended to the minutes.” after “with the minutes.” (end of first sentence, second paragraph). This would bring the regulations into line with current council procedure.

The council noted that the requirements for Budget and Forward Planning (Section 3) had been followed save that the working party was not provided with the information to evaluate the estimates in the context of a three year forecast of revenue and capital receipts and payments because it was (and is) far from clear what impact ownership and management of the community park would be on the council’s finances and whether the principal authorities, particularly the district council, would look to devolve any services to local councils.

Financial Risk Assessment

The council was satisfied that the risk assessment was satisfactory save that the measures currently undertaken to manage the risk of loss of financial data should be incorporated in the assessment.

168 COUNCILLORS AUDIT

The council reviewed the frequency, composition and terms of reference of Councillors Audit and decided that the current arrangement whereby the audit team met on the first Friday of each month and was composed of three councillors should continue; however, the council decided to make the amendments listed below to the team’s terms of reference:

- Activity h to be rewritten in the interests of clarification;
- Activity j to be deleted to bring the council into line with the requirement of the Account and Audit Regulations 2015;
- the word “employees” substituted for “town clerk” in Activity k.

169 THE COUNTY COUNCIL’S CONSULTATION EXERCISE ON THE MANAGEMENT AND MAINTENANCE OF THE PUBLIC RIGHTS OF WAY NETWORK

The council received and noted two documents which detailed the county council’s proposals for managing and maintaining the public rights of way network: “A new approach to categorizing the Public Rights of Way Network”; “Table of Proposed Path Characteristics and Scores”.

The council decided that the proposals were both comprehensive and rational and reflected the limited resources that the county council was prepared to allocate to management and maintenance. There was some scepticism about whether the proposals, once implemented,

169 cont.

would be effective enough to ensure that members of the public could enjoy walking the network with ease.

The council questioned whether the county council understood the importance of the network to the visitor economy. In this respect, the council decided that the proposals might compromise the walks, part of the Ryedale Market Towns Promotion project, that were being promoted by the district council in collaboration with iFootpath. Five of the walks were centred on Pickering but the county council's proposals would mean that they were not given a high categorisation throughout their entire lengths and, thereby, not the same level of maintenance. The council's concerns about this would be brought to the attention of the county council.

170 THE NORTH YORKSHIRE MOORS RAILWAY

The council received a request for a letter of support from the Chairman of the North Yorkshire Moors Railway Trust. The Trust was seeking funding for a major project to underpin its long term sustainability as one of Yorkshire's leading heritage attractions.

The council, noting the importance of the railway to the economy of the town and its environs, and sympathetic to the Trust's objective in educating members of the public in the importance of the railway, decided to provide the support requested.

The railway would be asked what impact the opening of a platform at Whitby Station for its trains had had for customer spend in Pickering.

171 MINUTE BOOK, LOCAL BOARD

The council decided that the Minute Book (1881 to 1890) should be handed over to the County Record Office at Northallerton to ensure its preservation and to make it (through micro film) available to members of the public.

172 FINANCE

ii) Councillors Audit – January 2017

The council resolved that the report of the audit undertaken on 3 February 2017 that financial transactions in January had been undertaken according to internal control policies and procedures, be received and endorsed.

The council noted that the value of its assets on 30 December 2016 was £256557.79.

ii) Delegated decisions by the clerk

The council noted and endorsed the decisions taken by the clerk since 16 January 2017.

172 cont.

iii) Request for a grant

The council

- received a request from Stape Silver Band for a financial contribution towards the cost of three new instruments;
- decided to award a grant of £2900.00 under s1(1) of the Localism Act 2011.

The council was informed that only £1700.00 remained in the Grants Budget and therefore transferred £1200.00 from the Maintenance Budget.

iv) Financial Statement: January 2017

The council resolved that the statement for January 2017 be received and noted.

v) Accounts paid and due for payment²³

The council resolved that the February accounts paid and due for payment totalling £7526.77 be approved.

173 CLAIM FOR COMPENSATION

The council decided to follow the advice of its insurers and forward to them the claim for compensation.

.....
Town Mayor

²³ Please see Appendix 1.

Appendix 1				
Voucher No.	Payee	Description	Gross Amount	Power
150	Allgardens Ltd	Final grounds maintenance/hanging baskets payment	£ 618.00	Open Spaces Act 1906, s10 (b)
151	Complete Office Solutions Ltd	Copier paper and toner cartridge	£ 100.68	Local Government Act 1972, s111(1)
152	PWMCT	Room hire 26/1/17	£ 18.00	Local Government Act 1972, s111(1)
153	British Telecom	Telephone charges third quarter 2016/17	£ 103.85	Local Government Act 1972, s111(1)
154	Michael Metcalfe	Repairs to town clock lighting and annual electrical inspection	£ 185.00	Parish Councils' Act 1957, s2
155	YLCA	Allotments training course for the Assistant to the Town Clerk	£ 115.00	Local Government Act 1972, s111 (1)
156	Acorn Lighting Ltd	Repair two street lighting faults	£ 54.24	Parish Councils Act 1957, Part 1, s3(1)
157	PWMCT	Room hire 30 January 2017	£ 24.00	Local Government Act 1972, s111 (1)
158	Smith of Derby Ltd	Repair and reinstall the autowind for the parish clock	£ 1238.40	Parish Councils' Act 1957, s2
159	Salaries and related payments	February 2017	£ 4387.41	Local Government Act, 1972 s112(2)
160	Natwest Bank PLC	Bank charges January 2017	£ 18.20	Local Government Act 1972, s111(1)
161	PWMCT	Rent/Services March 2017 Hire of meeting room 20.03.17	£ 600.00 £ 25.00	Local Government Act 1972,s111(1) Local Government Act 1972,s111(1)
162	PCX Computer Services	Broadband line rental	£ 17.99	Local Government Act 1972,s111(1)
163	EDF Energy	Electricity charges town clock lighting	£ 13.00	Parish Councils Act 1957, s2
164	EDF Energy	Electricity charges cemetery storage shed	£ 8.00	Local Authorities' Cemeteries' Order 1977
Total paid or due for payment February 2017			£ 7526.77	

Appendix 2 – Agenda item 4

From Standing Order 3

- d) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- e) Subject to standing order 3d) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business and an agenda item will be allocated in the early part of council and committee meetings to enable them to do this.

This entitlement will not preclude the chairman from adjourning the meeting at other times at his discretion so as to allow members of the public to make representations answer questions or give evidence, in relation to the business to be transacted at that meeting.
- f) The period of time which is designated for public participation in accordance with standing order 3d) above shall be at the chairman's discretion.
- g) Subject to standing order 3e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda.
- h) In accordance with standing order 3e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i) A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j) A person shall stand when requesting to speak and when speaking except when a person has a disability or is likely to suffer discomfort. The chairman may at any time permit an individual to be seated when speaking.
- k) Any person speaking at a meeting shall address his comments to the chairman.
- l) Only one person is permitted to speak at a time. If more than one person wishes to speak, the chairman shall direct the order of speaking.
- m) The right to record, film and to broadcast meetings of the council, its committees, sub committees and any joint committees is established under the Openness of Local Government Bodies Regulations 2014; however, recording will be carried out in accordance with separate rules adopted by the council to manage this activity effectively and lawfully.

RULES FOR THE EFFECTIVE MANAGEMENT OF RECORDING AT LOCAL COUNCIL AND PARISH MEETINGS

The right to record, film and to broadcast meetings of the council/parish meeting is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings. Pickering Town Council is committed to being open and transparent in the way it conducts its decision making. For the purpose of this policy the term “record” means any form of audio, visual or electronic recording. Those who attend a public meeting should expect to be filmed. This includes councillors, council officers and members of the public.

The rules that the town council will apply are:

1. The council will display requirements as to filming, recording and broadcasting at its meeting venues and on its website or on notice boards in the town and those undertaking these activities will be deemed to have accepted them whether they have read them or not.
2. A copy of this guidance will be provided to members of the public in attendance at a meeting of the council. The chairman may also verbally remind the meeting and all present of the freedom to record but that this guidance are in place to enable any type of recording to take place with minimal disruption to the council meeting.
3. Any person wishing to record a meeting in any format whatsoever is encouraged (but not compelled), to contact the clerk prior to the start of the meeting. The clerk’s details are set out in the public notice and the agenda of the meeting; (or in his absence, the contact will be the chairman of the council. Discussing requirements with the clerk beforehand will help to ensure that the council provides reasonable facilities to meet the needs of the person that is recording.
4. The person making the recording may move around, however in doing so he/she must ensure that there is minimal or no disruption to the proceedings of the meeting.
5. A person or persons recording the council meeting are reminded that the “Public Participation” period may not be part of the formal meeting and that they should take legal advice for themselves as to their rights to make any recording during that period.
6. Where the press and public are excluded from a meeting or part of a meeting owing to the confidential nature of the business to be transacted, recording of that meeting or that part of the meeting will not be permitted.
7. The specific filming of children or young people under the age of 18 who are present cannot take place unless their parents/guardians have given their written consent. This provision also applies to vulnerable adults whereby the consent of a responsible adult is required, ie a medical professional, carer or legal guardian. Where the permission is given, filming of these people can take place.
8. The council requests that all recording is overt (ie clearly visible to anyone at the meeting), but cannot compel those who are recording to do so.
9. The use of digital and social media recording tools, for example Twitter, blogging or audio recording are allowed as long as this type of recording is carried out in a non-disruptive way and only to the extent that it does not interfere with the ability of any person present to follow the debate.
10. A person or persons making a recording has no right to interrupt a council by asking questions or making comments for the purpose of the recording. The person recording has no right to ask councillors, officers or any members of the public who have been given permission to contribute orally to the meeting to repeat a statement for the purposes of the recording.

11. The chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her reasonable opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of this guidance.
12. Persons who are recording are requested not to leave their equipment unattended where possible, and are responsible for their equipment at all times
13. The recording and reporting on meetings of the council is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act and the laws of libel and defamation. The council expects that the recording will not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the council's values or in a way that ridicules or shows a lack of respect for those in the recording. The council would expect any recording in breach of these rules to be removed from public view. The council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.
14. For the benefit for those who wish to record - where the recording device being used involves equipment which is larger than a smart phone, tablet or compact camera or if the person recording has other special requirements he/she is requested to please contact the clerk prior to the meeting so that reasonable arrangements can be made. The use of lighting for filming/flash photography will usually be allowed provided that it does not adversely impact on the ability of others present to view the meeting, or for reasons of health, whereby the council may require that such lighting is not used or is reduced to a level which does not adversely affect other people. The lighting should not cause any other form of disruption.
15. The council may itself photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies. Where a council proposes to record all of its own meetings it will be bound by this policy.
16. Where a council proposes to record all of its own meetings, it will resolve how long such recordings will be kept and how members of the public may obtain copies. The council will include the availability of such recordings within its Publication Scheme.
17. The council is not liable for the actions of any person making a recording at a council meeting which identifies a member of the public or for any publication of that recording.
18. The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.

Date of policy adoption 15 June 2015

Date of policy review 16 May 2016

Appendix 3a) – Agenda item 7ii)

An update from the Moorsbus Community Interest Community and the Friends of Moorsbus

Moorsbus Community Interest Company are all volunteers. We fund raise for and arrange a bus network for the North York Moors area. Our services accept ENCTS bus passes. We also promote and try to connect with any existing bus and train services. We have all-day tickets and local fares, and some shared ticket arrangements with other operators.

In 2016 we ran two service from through Pickering every Sunday and Bank Holiday in July, August and September. In 2017 we will be extending the service to run from 1st May to the end of September, every Saturday, Sunday and Monday, and there will also be an extra service to Rosedale and to Dalby Forest on Sundays and Bank Holidays, including an early start bus for the many walkers who like to stay in Pickering.

We aim to bring benefits to you and to other Parishes which are social, economic and environmental

Social

Helping local people get out to see friends, relatives or just for a ride – easing isolation especially for those without a car. Enabling people to keep active for better physical and mental health.

Enabling local people to get to work or volunteer especially in the hospitality and leisure industry

Giving young people, the elderly and anyone who can't drive, an opportunity to visit people and places

Economic

Ensuring that visitors from near and far without a car (including overseas visitors) can enjoy local facilities and services, thus increasing tourism income for the area

Environmental

By saving just a few car journeys, the bus eases pressure on the environment: giving better air quality, lower carbon emissions, and lower risk of traffic collisions on rural roads

Ensuring that people from near and far can appreciate our countryside and therefore help protect it for future generations.

To and from Pickering

- *In 2017, Moorsbus services run to and from: Helmsley, Malton, Saltburn, Redcar, Guisborough, Darlington, Stockton, Middlesbrough, Northallerton, Stokesley, Thirsk and scores of other towns and villages in and around the area.*
- *Connections with other services ensure easy access to and from other locations including Hutton le Hole, Great Ayton and Castleton*
- *In 2017 we have managed to extend our season to start in May. We are also running at least one of our routes on Saturdays and Mondays as well as Sundays and Bank Holidays, and we will extend further if funding arrives.*
- *During the day services run to Rievaulx Abbey, Sutton Bank, Ampleforth and Danby National Park Centre*
- *Good opportunities for 'bus walks' as well as more leisurely visits to shops, pubs and cafes.*

The growth in our network is entirely due to more and more passengers, organisations and businesses "chipping in" just a small amount that they can afford. It costs around £400 per day for each bus (gross contract price). Across our network the buses have been covering between 45 - 50% of their costs each year from fares and the ENCTS reimbursement. Each year we raise the full contract cost at the start of

the season, and then carry forward the income to the following year. Some sections/ times of day are very busy, others still have spare capacity. We would obviously like to increase the income were possible. We always appreciate more help with publicity, though many people do their bit already. Posters and timetable leaflets will be available for you locally in April.

Further information on Moorsbus, including survey results can be found at www.moorsbus.org.