

MINUTES OF THE MEETING OF HOUGHTON-ON-THE-HILL PARISH COUNCIL
HELD IN THE COMMITTEE ROOM,
VILLAGE HALL, MAIN STREET, HOUGHTON-ON-THE-HILL,
WEDNESDAY 7th MARCH 2007, AT 8:00 P.M.

PRESENT:

Cllr. Mr. M. Stevenson (Chairman)
Cllr. Mrs. A. Nunan
Cllr. Mrs. A. Sharman
Cllr. Mr. S. Blackwell
Cllr. Mr. R. Davis
Ms A. M. Davies (Clerk)

Cllr. Mr S. Galton (District Councillor)

1. APOLOGIES

Apologies had been received from Cllr. Mrs. A. Sleath.

2. DECLARATION OF INTEREST

Declarations of interest were to be made when agenda items were being discussed and recorded accordingly.

3. MINUTES OF THE MEETING OF THE PARISH COUNCIL HELD ON THE 7th FEBRUARY 2007

The Minutes of the Meeting of the 7th February 2007 were confirmed and signed.

4. TO RECEIVE A REPORT FROM THE CHAIRMAN ON PROGRESS OF DEBATED ISSUES

The Chairman read out a report detailing the progress of issues already debated. The report was for information only. Issue arising out of this report that require a decision from the Parish Council are to be raised as agenda items as necessary (See Appendix 1).

5. FINANCIAL MATTERS

Accounts to be settled:

1. Village Hall Grant	£2,000.00
2. Hamilton Forms (Printers of the news sheets)	£15.00
3. S. Clark (Bus shelter cleaning)	£26.00
4. Clerk's Salary for February 2007	£526.29
5. Clerk's fixed and variable expenses for February 2007	£96.72
6. LAPLC Accounts Training	£90.00
7. Houghton Field Association Grant	£2,300.00

The Clerk presented cheques for signature.

- ***It was RESOLVED that the grant for Houghton Village Hall, invoices presented for Hamilton Forms printers, S. Clark bus shelter cleaning, the Clerk's salary and expenses and LAPLC Accounts Training be paid in full.***

(The vote was unanimous from all those present)

These cheques were then signed in accordance with the Council's Standing Orders.

Acting on advice received from LAPLC the Chairman informed the meeting that payment of the grant to the Field Association would be decided in private session as the last item on the Agenda.

The public would be asked to leave the room whilst the Clerk gave the Council a summary of legal advice received on this matter. The Chairman informed the public that they would be able to return after this private session so that they could participate in the public session which follows the closing of each meeting.

Council approval was proposed for cheque no. 100556 made out to Marram Ltd., 11/02/07, as payment for tree planting labour. The invoice was dated 03/01/07 and could have been paid at the January PC Meeting but it was not presented to the Clerk until 09/02/07. Since the payment of this invoice completed the payment for Phase1 of the Tree Planting Scheme it was considered expedient to settle the invoice as soon as possible. The cheque was signed between PC Meetings by Cllr. Mr. M. Stevenson and Cllr. Mrs. A. Sharman. The cheque is duly logged in the Council's accounts.

- ***It was RESOLVED that Cheque no. 100556, for £205.63 made out to Marram Ltd., 11/02/07, as payment for tree planting labour be approved.***

(The vote was unanimous from all those present)

6. CORRESPONDENCE

Two letters had been received.

1. Mrs. B. Butler, Church Warden, requesting financial help with churchyard maintenance, more specifically with repair/replacement of York stone footpath slabs in the churchyard.

The Council has budgeted for churchyard maintenance and the Clerk was instructed to write to the Church Warden confirming that financial support was available and requesting that detailed estimates of the potential cost be submitted as soon as possible. A site visit would then be arranged between the Council and representative/s from the church following which, once all necessary permissions had been obtained, the Council would agree to an amount of funding. Although York stone would be the most appropriate it was considered that the cost of such stone may prove prohibitive and that possibly a suitable alternative might be acceptable. This will be discussed once the Council is in receipt of estimates and after a site visit has been undertaken.

2. Letter from a parishioner approving the recent tree planting scheme as part of the Village Plan, complaining about the location and misuse of the existing seat on St.Catharine's Way and offering a lengthy, detailed road re-routing plan for the village..

The Council were pleased that the parishioner approved the Tree Planting Scheme. The parishioner should be advised to send complaints about this particular seat to HDC whose work team installed the seat at a location other than that specified by the Parish Council. The re-routing of roads is not within the remit of the Parish Council and should be communicated to District Council.

The Clerk was instructed to reply accordingly to the letter.

7. PLANNING APPLICATIONS

Two planning applications had been received, both for 2, School Lane, Houghton.

Planning Application 07/00111/FUL - Raising of roof and installation of 1 dormer window.

Planning Application 07/00110/LBC - Raising of roof, reproofing, installation of 1 dormer window, 1 roof light and 2 sun pipes and internal alterations (DEVELOPMENT AFFECTING A LISTED BUILDING)

A site visit to 2 School Lane was conducted on Friday morning, 02/03/07.

The Council had no general objection to the planning applications but not only considered dormer

windows unacceptable within the conservation area and on a listed building but also considered the proposed combination of dormer windows and roof lights to be even more unacceptable. Surprise and concern was also expressed about the mixture of window design within one of the elevations of the proposal.

Parking space is already at a premium within this area of the village which includes the village school. The Council suggested that parking for this development be restricted to within the curtailage of the Vicarage.

The Clerk was instructed to notify HDC Planning Department of the Council's findings

8. TREE PLANTING SCHEME

The Clerk reported as follows:

The Council is in possession of documentation which ratifies any issues which might have been the result of any unintentional deviation from legal procedures followed in the swift implementation of the Tree Planting Scheme. The planting schedule had already been delayed by one month and the season of the year dictated that the planting be completed before nature's deadline.

The Clerk confirmed that the Council is in possession of the following documentation:

- Documentation recording the number, species and cost of trees, shrubs and bulbs (including labour) per individual planting site of Phase 1 of the Village Tree Planting Scheme
- Written confirmation from Mr. Clive Howe, LCC District Engineer, that individually named planting sites on LCC land had been cleared in respect of easements of Public Utilities and Highways Regulations prior to the planting on these sites.
- Written confirmation from Mr. Matthew Bills, HDC Landscape Officer, that individually named planting sites on HDC land had been cleared in respect of easements of Public Utilities prior to the planting on these sites.
- Written confirmation that the choice of both nursery and labour suppliers were "best value" selected from at least three potential suppliers. This confirmation includes a letter from Mr. Matthew Bills, HDC Landscape Officer, congratulating the PC on their choice of both nursery and labour suppliers.
- Written confirmation from the Cricket Club that verbal permission was given, 4th November, (prior to the planting) for the planting of village trees on the cricket field as part of the Village Plan to enhance the appearance of this approach to the village and that access for future maintenance of the trees was also granted at this time. This written confirmation, based on a comprehensive site visit including Houghton's Tree Warden, Mrs. Francesca Wall-Bray, and the Cricket Club's groundsman and committee member, Mr. John Edmunds, 4th November 2006, also confirms that the Cricket Club is satisfied with the precise location and species of the individual trees. There is no public record of any underground services or equipment on this site, it having previously been arable land. The Cricket Club is the sole source of reference for this information and gave its permission for the precise location and species of individual trees accordingly.

The entire village has been circulated with information leaflets giving the Council's proposals for any potential future tree planting sites; this leaflet also included the list of planting sites completed in Phase 1 of the Village Tree Planting Scheme.

The chairman temporarily closed the meeting so that Mrs. Francesca Wall-Bray, Houghton's Tree Warden, could give a report on future proposed planting sites.

Following the report the Chairman re-opened the Meeting.

The chairman thanked Mrs. Wall-Bray for all her hard work and the Council discussed the new proposals.

The Council decided that since nature decrees that tree planting is best completed before the end of March the next major phase of the Village Tree Planting Scheme would be deferred until the autumn, thus avoiding any need for rushed implementation.

Two minor planting projects proposed by the Tree Warden, who has already set up volunteer labour for March, seem to be a current possibility. An interim meeting of the Council will be needed to confirm any necessary permissions, easements of Public Utilities and Highways Regulations and approval of suppliers. To be arranged.

9. HOUGHTON VILLAGE WEB SITE

A letter had been received from a parishioner who is offering to establish and manage a Village Web Site. The Council instructed the Clerk to invite the parishioner to the next Council Meeting, 04/04/07, so that he might give the Council a detailed account of his ideas.

10. VILLAGE SEATING

In the absence of Cllr. Mrs. A. Sleath the Chairman reported that the entire village has been circulated with information leaflets giving the Council's proposals for both the location of village seating and any potential future tree planting sites, this leaflet also included the list of planting sites completed in Phase1 of the Village Tree Planting Scheme.

11. VILLAGE PUMP

Cllr. Mrs. A. Sharman gave a short progress report.

A list of artisans capable of the restoration work has been obtained but this list supplied by Stephen Carding, Project Development Officer Rural Community Council, seems to be somewhat out of date.

The ownership of the pump remains partially unresolved but progress is being made.

Neither HDC nor LCC have yet undertaken any of the clearance work. This is however understandable given the recent weather conditions.

The Clerk was asked to contact other Parish Clerks whose Councils may have undertaken similar well restorations recently.

12. VERBAL REPORTS OF REPRESENTATIVES IN RESPECT OF:

- **School Governors**

A letter has been written to Mr. Lee, Head Teacher, confirming that the Council has agreed to grant the request for the village hall as the venue for the school production, Wednesday 4th July, but that the Council has decided to make its own arrangements in respect of an alternative venue for the PC Meeting on that date.

The clerk had received a phone call from Mr. Eric Cook who is one of two new Community Governors for the Primary School. One of these two governors will be attending each monthly meeting. Mr. Cook attended this meeting, 7th March.

Mr. Cook informed the Council that the school was short of pupil numbers at the youngest and oldest age range of their intake and was consequently leafleting neighbouring villages advertising this fact. A second "walking bus" may be introduced, this may alleviate the ever present school parking problems.

- **Village Charities**

Nothing to report

- **Village Hall**

Village Hall Committee AGM 19th February. Cllr Mrs. A. Sharman attended as Council representative and gave a short report. The AGM was mainly a discussion of domestic matters related to the Village Hall.

The Council were given a copy of the audited Houghton Village Hall accounts.

- **Allotments**

Gardeners' Club Meeting 13th February. Cllr. Mrs. A. Nunan had submitted a short written report. The Gardeners' Club has collected all due rents, £200.00 regular rent and £53.74 from non-parishioner plot holders. The Council is requested to send an invoice to the Club for this amount at the appropriate time

The Club had reported the poor state of the wire fence boundary between the allotments and Smart's yard in November 2006 but there had been no follow-up action. The Club is concerned because trespassers have been gaining access to the allotments via this weak point and the costly new security measures implemented by the Council are subsequently being undermined.

The clerk suggested that when making payment for the annual allotment rent the Club also submits a list of the names and addresses of current plot holders so that the Council, as landlord, is annually kept up to date with the number of plots being held and by whom. This will also conform to clause 22 of the tenancy agreement whereby "the Tenant agrees to supply to the Council a list of names and addresses of all sub-tenants and to maintain the accuracy of this list". The Council were in full agreement.

The present Clerk cannot find any reference to a letter sent, November 2006, by the previous Clerk asking the owners of the wire fencing to repair same a second time – this had already been done once earlier in the year. The last recorded correspondence between the Council and A. Walter Smart & Sons was in August 2006, when A. Walter Smart & Sons suggested that the Council might like to plant a Hawthorne hedge along this boundary.

The Council instructed the Clerk to send a letter to A. Walter Smart & Sons asking if they are again willing to affect repairs to the wire fencing.

The Clerk has also drew the attention of the Council to clause 27 of both the old and new Allotment Garden Tenancy Agreement which states, "In order to maintain good working arrangement between the Tenant and the Council, a Council member, who is not a member of the Gardeners' Club, will be invited to attend a Club meeting every quarter for the resolution of any issues." Consequently, Cllr. Mrs. A. Nunan, who is now an allotment plot holder will have to relinquish her role as allotment representative. However since there are no further Gardeners' Club Meetings during this Council's term of office there was no need to appoint a new representative at this time.

- **LRAPLC**

The Clerk had received advice from the LAPLC Legal Department and this was to be conveyed to the Council in the private session at the end of this Meeting.

- **Field Association**

The Clerk had written to both LAPLC and the Charity Commissioners in order to establish what progress has been made in respect of defining the charitable status of the Field Association. There had been extensive correspondence between the Charity Commissioners and the Field Association. The most recent email (16/02/07) sent to Mr. D. Wood, Chairman of the Field Association, asking for answers to what would appear to be a final list of questions will enable the Charity Commissioners to make their decision re. the status of the Field Association. Any further legal information on this situation was to be given in private session

- **Have Your Say**

Nothing to report

Cllr. Mr. S. Galton asked the Council if the new recently installed traffic calming equipment on the A47 was considered to be effective. Consensus of opinion was in the affirmative and the Chairman thanked Cllr. Mr. S. Galton for his greatly appreciated support on this issue.

There was some discussion on whether the existing flash warning message was the most effective of those possible. No agreement was reached on this but Cllr. Mr. S. Galton informed the Council that an analysis of traffic speed would be made and consequently the effectiveness of the present flash message would be more realistically evaluated. It was also noted that quarry lorries were still speeding through the village in the early hours of the morning. One way of recording this would be the presence of police with speed guns before and around 6.00am. It was considered unlikely that this would happen in practice.

As declared earlier in the meeting, under 5. FINANCIAL MATTERS, the Chairman proposed that the public be asked to leave the room prior to the discussion of the next item on the agenda, the proposal was seconded and:

- ***It was RESOLVED that under the provisions of the Public Bodies (Admission to meetings) Act 1960 the press and public be excluded during consideration of the following item on the grounds that legal advice is to be given to the Council on matters which could be the early stages of a dispute.***

(The vote was unanimous from all those present)

The public and Cllr. Mr. Simon Galton left the room.

The Council had been given sight of all correspondence between the Charity Commissioners and the Field Association and the Charity Commissioners and the PC.

The Council had been given sight of all advice received from LAPLC and the Legal Department of LAPLC.

The Council had also been given sight of the audited accounts from the Houghton Field Association and the Houghton Sports & Social Club. The latter, as stated in the auditor's comments, had been based on incomplete records.

The Clerk summarised legal advice that had been received as follows:

The Legal Department of LAPLC strongly advise that the Council defer payment of the grant to the Field Association until their status is confirmed by the Charity Commissioners, this is now imminent, or until the Council has received audited accounts from the F.A. which leave the Council in no doubt that the F.A. is a non-profit making organisation.

The Legal Department of LAPLC has also reminded the Council that: "The Houghton Field Association and the Parish Council are two separate legal personalities, therefore the Parish Council does not have any statutory parochial duties to the Houghton Field Association. The land in question as described in the 1966 Conveyance was sold to the named trustees for £6,700, the land was not gifted to the Parish Council, therefore the only link the Parish Council has with the Houghton Field Association is its appointed representative member who sits on the Committee of Management."

The payment of a grant to the Field Association remains a matter of Council discretion.

However, should the Council decide to pay the grant under provision of Local Government (Miscellaneous Provisions) Act 1976 s.19 and it transpires that the F.A. is not a non-profit making

organisation the payment will have been unlawful and the Council could be surcharged in order to recoup the grant.

The Clerk advised the Council to take heed of the advice from the LAPLC Legal Department.

After some discussion:

- ***It was RESOLVED that payment of the 2005/6 grant to Houghton Field Association be deferred until the charitable status of the Association has been confirmed by the Charity Commissioners.***

(The vote was unanimous from all those present)

The Clerk was instructed to write to the Field Association informing them of the Council’s decision and reasons for deferring payment of the 2005/6 grant

The public were readmitted to enable any public comment in the informal session set aside for this purpose after the closure of the formal PC Meeting.

There being no further business to transact the meeting was closed at 21:40 pm.

SIGNED.....
CHAIRMAN

DATE.....

Appendix 1

CHAIRMAN'S REPORT TO THE PARISH COUNCIL 07/03/07

Planning Applications

Two planning applications have been received, both for 2, School Lane, Houghton.

Planning Application 07/00111/FUL - Raising of roof and installation of 1 dormer window.

Planning Application 07/00110/LBC - Raising of roof, reproofing, installation of 1 dormer window, 1 roof light and 2 sun pipes and internal alterations (DEVELOPMENT AFFECTING A LISTED BUILDING)

A PC site visit to 2 School Lane was conducted Friday morning, 02/03/07. This will enable the Council to give their informed comments during this Meeting.

Tree Planting Scheme

The Council is in possession of documentation which ratifies any issues which might have been the result of any unintentional deviation from legal procedures followed in the swift implementation of the Tree Planting Scheme. The Clerk will give a verbal report on this matter as it arises on tonight's agenda.

Mrs. Francesca Wall- Bray will also be making a verbal report on any proposed future planting sites.

Allotments

A letter has been received from the Gardeners' Club thanking the Council for the installation of the sturdy new allotment fencing.

The Clerk has advised the Council that clause 27 of both the old and new Allotment Garden Tenancy Agreement states, "In order to maintain good working arrangement between the Tenant and the Council, a Council member, who is not a member of the Gardeners' Club, will be invited to attend a Club meeting every quarter for the resolution of any issues." Consequently, Cllr. Mrs. A. Nunan, who is now an allotment plot holder will, after all, need to relinquish her role as allotment representative.

Highways

The annual Highways inspection of the village is due this month and the Council is asked to submit a list of any necessary Highways repairs which have come to their attention. The clerk will provide each Councillor with a sheet on which such repairs can be recorded. Will Councillors please return any such filled in sheets to the clerk by 13th March. The clerk will then be able to consolidate these findings on one sheet and send this to Highways prior to their village visit.

Houghton Primary School

The Council wishes to welcome Mr. Eric Cook, newly appointed Community Governor for Houghton Primary School, to this and future Council Meetings. Mr. Cook and a second School Governor will alternate their attendance at Council Meetings. This regular liaison with the School was at the Council's suggestion and the Council is pleased that the School has responded in such a positive manner.

Plastics re-cycling bin.

The bins are being used well and frequently. There has been a request either to increase the size of the bins or to increase the number of times that they are emptied. Arrangements have now been made for the bins to be emptied on Mondays and Fridays.

Black Bag Will Councillors please remember to circulate the black bag.