



PATELEY BRIDGE TOWN COUNCIL
The Council Chamber, King Street
Pateley Bridge, HG3 5LE

Tel: 07751 571 374 Email: clerk@pateleybridgecouncil.org.uk

MINUTES OF THE MEETING HELD ON TUESDAY 08 MAY 2018

Present:

Cllr C Skaife (Chairman)
Cllr D Brackley
Cllr C Hawkesworth
Cllr S Hesselden
Cllr M Holt

Cllr H Jefferson (Deputy Chairman)
Cllr J Leggett
Cllr S Lumley
Cllr I Skaife
Cllr M Thompson

Clerk: Mrs S Adamson

In attendance: three parishioners.

The retiring Mayor, Cllr Chris Hawkesworth, in the Chair

- 1 **Election of Mayor and Chairman for the forthcoming Civic Year**
Councillor Christine Skaife had previously been nominated as Mayor for the forthcoming Civic Year; this was now formally proposed, seconded and agreed unanimously, and having been given the chain of office by the retiring Mayor, Cllr Skaife took the Chair.
- 2 **Mayor's Declaration of Acceptance of Office:** The Mayor read out and signed the Declaration of Acceptance of Office (attached to these Minutes).
- 3 **Election of Deputy Mayor:** Cllr Jefferson had been nominated by the Mayor and the nomination was agreed unanimously. Cllr Skaife thanked Cllr Jefferson for agreeing to be her Deputy and handed her the badge of office.
- 4 **To accept Apologies and reason for absence:** none.
- 5 **Parishioners' Representations:** one of the parishioners present, on behalf of the RBL, one of oldest organisations in the Dale, wished to congratulate the Mayor and Deputy Mayor on their appointment.
- 6 **Councillors' Declarations of Interest and Consideration of Dispensations:** there were no declarations of interest and no requests for dispensations.
- 7 **Minutes of the Meeting held on the 03 April 2018:** it was proposed, seconded and agreed by a show of hands that these were a true record of the proceedings and they were signed by the Chair.
- 8 **Matters Arising**
 - (a) Min 7(b): Confirmation of Tree Preservation Order No 17/2018 at Byrill Farm:
noted – the individually specified trees were a Cypress, a poplar, a Cedar, a Colorado Spruce and a Beech tree.

- 9 **Appointment of Council representatives and membership of sub-committees and to formally agree the disbandment of the Millennium Green Committee:** these were discussed and some substitutions were agreed; the revised lists being attached to these Minutes as Annexes A and B. The decision to disband the Millennium Green Committee had been made in full Council on 21 November 2017.
- 10 **To receive the dates of council meetings and those of committees/working groups for the coming year:** the Clerk to bring hard copies to the next meeting. It was agreed that separate Millennium Green Trust meetings would be held after council meetings as and when the need arose.
- 11 **To confirm current Risk Assessment:** the measures in place in the document were approved as being sufficient and it was signed by the Chair. The Clerk said she was preparing separate risk assessments for the bus shelters and the Allotments.
- 12 **To receive the updated Asset Register:** accepted and approved.
- 13 **Planning Matters**
- (a) Applications to Harrogate Borough Council
- (i) DCPARISH 6.49.210.A.FUL 18/01230/FUL. *Conversion of two dwellings to create three apartments and one dwelling; demolition of conservatory; erection of two-storey extension and alterations to fenestration; at Chews Cottage, Old Church Lane, Pateley Bridge HG3 QS. No objections.*
- (ii) DCPARISH 6.49.30.B.DVCON 18/01039/DVCON. *Variation of Condition 2 (approved drawings) of planning permission 17/03006/FUL at Cliffe House Farm, Blazefield Bank, Fellbeck HG3 5EQ. Noted.*
- (iii) DCPARISH 6.49.259.C.COUC 18/01295/COUC. *Change of use from guesthouse (C1) to dwelling (C3) at Roslyn House, King Street, Pateley Bridge HG3 5AT. Several councillors had received representations about this application and one of the parishioners present was attending the meeting to make objections to it. After a short discussion it was agreed that the Council should object to the application on the grounds that there was a shortage of accommodation in the town and that it would prefer to see it sold as a business. There were two abstentions.*
- (b) Decisions by Harrogate Borough Council
- (i) DCPCDEC 6.49.573.B.PNAFUL 17/04700/PNAFUL. *Erection of replacement agricultural storage building at North Syke Farm, Fellbeck HG3 5ER. Approved subject to conditions.*
- (ii) DCPCDEC 6.49.250.K.FUL 18/00184/FUL. *Erection of new cart shed at West Barn, Lupton Bank, Glasshouses HG3 5EA. Approved subject to conditions.*
- (c) Enforcement matters:
- (i) ENCOMRES 18/00168/PR15 *Quarry Farm (Crossgates Quarry) Fellbeck, report from Enforcement Officer: the building was now as per the planning permission but it was built on a mound of earth so much taller than the original ground level. Discussions with landowner were ongoing.*
- (ii) Case No 18/00234/PR15 – *unauthorised sign for open morning at Belmont Grosvenor School at public garden, North side High Street, Pateley Bridge. Enforcement had acted promptly to request removal of the advertisement and the School had complied equally promptly.*

(d) Appeals: none.

- 14 **Financial Matters**: the following were all approved for payment, along with an invoice in the sum of £540 (inc VAT) from Mr Ben Crosby for tree work at the Play Area, which was in accordance with his estimate for the work but which would be included on the June Agenda for authorisation. [there were two amendments made after the meeting: Item (iv) should have read £35 and Item (viii) included an amount of £28.82 which HBC had invoiced PBTC for in error]

(a) Accounts for Payment

- (i) Clerk's Expenses: travel, parking permits, banking, training: £55.62
- (ii) Clerk Working at Home Allowance and contribution to internet connection 01 Oct 2017 to 31 March 2018: £129
- (iii) Upper Nidderdale P C: annual contribution to Wath Play Area: £75
- (iv) Bewerley Parish Council, annual share of Cemetery Field rent: £40
- (v) Adrian Newbould Computer Services: repair to HMRC PAYE software database: £48 inc VAT
- (vi) Memorial Hall: 1/3 share of landline rental 2018: £83.96
- (vii) Cllr C Skaife: annual mayoral allowance for expenses: £350
- (viii) HBC trade waste: £79.24 inc VAT
- (ix) Clerk's salary payable 31 May 2018: Gross £657.18 Net £585.92 (includes a retrospective payment of £10.54 following national salary award to be implemented from 1st April 2018)

(b) Receipts: noted:

- (i) Platt and Bajic: garage rental April: £31
- (ii) HBC Parish Precept 1st instalment: £10,875
- (iii) Allotment Society: rental for 2018: £285
- (iv) VAT repayment (December 2016 – March 2018): £2,794.28
- (v) Northern Powergrid: Wayleaves Agreements: £31.44

(c) To discuss recommendations from the Finance Working Group

- (i) to agree amendment to 10(i) of the Financial Regulations: it was felt that the amount above which jobs had to go out to tender should be increased from £500 and the FWG had recommended an amount of £1,500. This was proposed, seconded and agreed by all.
- (ii) to agree to continue the current bank mandate: as it was now such a complex and lengthy process to amend the bank mandate, the FWG had recommended that the bank mandate should remain with Cllr I Skaife, Cllr Jefferson and the Clerk as signatories. This was proposed, seconded and agreed by all.
- (iii) to review the rental of the garage at Glasshouses: this had been due for its five-yearly review at the end of 2017; under the circumstances it was agreed that the rental should be increased from £31 to £35 per month but the increase would not be implemented until April 2019.

(d) Annual Return

- (i) to receive bank reconciliation 2017-2018: received and approved.
- (ii) to approve Annual Governance Statement 2017-2018: the Chair read each part of the Governance Statement to the Council; the questions were answered in the affirmative and the Return was signed by the Chair and the Clerk.

- (iii) to approve Annual Statement of Accounts 2017-2018: previously circulated to all councillors and now approved by a show of hands, and signed by the Chair and the Clerk.
- (iv) to approve level of reserves: as per the External Auditors' reports and recommendations, the level of reserves held by the Council, was discussed and formally approved for the same reasons previously expressed, namely: *The Council believes that it needs to keep reserves at a sufficient level to fund services that are no longer provided at district and county level, e.g. grounds maintenance, floral display, verge clearing, Christmas lights; it has also been asked if it wishes to take over running of the public toilets in the town. In addition, in the past, it was able to purchase a field (now the Play Area) immediately it was offered for sale, and would like to be in a similar position should another such occasion arise; it also does not know if it will be called upon in the future should the flood defences fail. If the Government decides to cap parish precept increases at 2% this Council would be severely restricted and would need its reserves.* Ringfencing of funds was also discussed, but it was agreed that this was not necessary as it might limit the Council's ability to operate and respond to need.
- (v) to approve appointment of internal auditor 2017-2018: Mr David Thomas of the Barker Partnership had agreed to carry out the internal audit again, on the previous basis of donating his honorarium of £100 to the Mayor's Fund; his appointment was formally approved by a show of hands.

15 Correspondence

- (a) Complaint from a visitor about the public toilets: the Clerk to forward to HBC.
- (b) Complaint from a resident about recycling centre in Southlands: a Parishioner had submitted a photo of a huge amount of leaves and rubbish under the bins in the recycling centre which he felt gave visitors a very bad impression of the town. The Clerk had forwarded this to HBC who had replied that the site was a wind trap and that the Contractor had removed six 1100 litre bins of leaves and debris during the last two months.
- (c) HBC Parish Consultation on 28 June 2018 – to discuss questions: to return to the next Agenda as the deadline for response was Friday 8th June.
- (d) 'Back on the Beat Cycle Sportive' to pass through the town on Sunday 20 May 2018 – for information: noted.
- (e) HBC consultation on their Welfare Support Strategy: it was agreed that councillors should respond to this on an individual basis.
- (f) To nominate delegates to HBC meeting to discuss their proposals to remove single use plastic within 12 months: Cllr Hawkesworth to attend.
- (g) Request from Citizens Advice for funding: the CAB CEO had written to the Council requesting annual funding of £600 and although he had provided statistics on numbers of residents and their reasons for accessing the service, no accounts had been provided. During the discussion it was acknowledged that although CAB provided an invaluable service, definitive advice was often only available by a trip to Harrogate; there was a reluctance to agree to this request as there would be an ongoing requirement for funding, and the Clerk was asked to respond by saying that unfortunately the Council could not support CAB financially.

16 **Play Area:** Cllr Jefferson reported that the equipment was in order and the Play Area looked very attractive, although Acorn Housing had still not carried out the repairs to their wall. Cllr Brackley agreed to carry out the inspections in May.

17 Council Business

- (a) Caretaker Tasks for May: standard tasks plus cleaning steps to the river bank at the bastion; relaying flagstones around the oak tree on Glasshouses Village Green; weed killing at BMX track; cut back living willow maze; cut low branches in Millennium Green to facilitate grass cutting; and make good tyre damage at Village Green and St Mary's/Old Church Lane.
- (b) To agree budget for Civic Service on 24 June 2018 and to review the guest list: The Clerk had circulated a spreadsheet of costs in previous years which showed that inclusive of all costs and minus financial contributions from councillors and other paying guests, the two previous years' events had cost £774 and £744 respectively. The Service would be held at the Methodist Church followed by luncheon at Harefield Hall. It was agreed that the budget should remain at the previously approved limit of £1,050.
- (c) To discuss financial contribution and guest list to the 'Battle's Over – a Nation's tribute and WW1 Beacons of Light 11th November 2018': in principle the Council regarded this as a joint event but agreed that it should return to the Agenda when some firmer proposals were available from Bewerley Parish Council. The Council was keen for this to be an inclusive event.
- (d) General Data Protection Regulation (GDPR) – update from Cllr Leggett: following the training that he and the Clerk had attended, Cllr Leggett gave a short report on the impact that the GDPR will have on the Council including:
- (i) Consent forms to be obtained from people on the Mayor's Charity Ball mailing list
 - (ii) As Data Controller, councillors would be responsible for deciding new policies such as privacy notices and document retention periods. The Data Processor (the Clerk) would process the data but the Council itself would retain responsibility for compliance and be able to demonstrate compliance by providing evidence.
 - (iii) Councillors should not run the risk of creating data breaches, for example by forwarding emails containing personal data.
 - (iv) It had been understood that the Council would need to appoint a Data Protection Officer (DPO) who would assist with compliance and who would carry out an annual audit. Both HBC (at a cost of £375 per annum) and YLCA (cost TBC) would offer this service; however an amendment to the law was being processed through the House of Commons which would exempt parish councils from appointing a DPO.

In addition Cllr Leggett had prepared the following Action List for councillors based on the training by YLCA and the 64 page NALC Toolkit:

- (i) **Raise Awareness.** Councillors should be made aware of GDPR and undertake training to ensure they know enough to make good decisions about what the Council needs to do.
- (ii) **Data Audit.** Undertake a Data Audit to include identifying where there is a legal basis for processing (YLCA has produced a helpful example to assist)

- (iii) **Retention Policy.** Prepare a retention policy listing how long correspondence and emails should be kept. YLCA to circulate a template.
- (iv) **Consent Form.** Draft one and send out where necessary. App 3 of the Toolkit shows an example.
- (v) **Review Data Held.** Go through all papers held in the filing cabinets and dispose of any personal data where no longer needed, or seek consent to retain. Look at website and review what is held at NYCC Archives (as this is still responsibility of PBTC).
- (vi) **Privacy Notices.** Review the sample at App 4 of the NALC Toolkit and decide whether to publish one showing how data is used.
- (vii) **Record Keeping.** Review App 10 of the Toolkit and decide whether it is necessary to keep an 'Internal Register of Processing Activities'.
- (viii) **Compliance.** The Council to have a system in place to demonstrate that GDPR is being complied with, including lawful basis for processing data.
- (ix) **Data Breaches.** Review rules applying to data breaches and agree when the Information Controller is to be advised.
- (x) **Sensitive Personal Data.** Special rules apply to sensitive data including racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health and sexual life.
- (xi) **Data Protection Impact Assessment.** For any new venture, such as installing CCTV, an Impact Assessment will be required.
- (xii) **Fees.** Continue to pay the annual fee to the ICO.

It was agreed that Cllr Leggett, Cllr Thompson and the Clerk should meet to take the process forward.

- (e) Duty of Care Regulations 1992 – Waste Transfer Note: relating to the bin in the Council Chamber car park and used by the Caretaker, this was circulated to councillors for their information.
- (f) Vandalism in the Recreation Ground – for information: continuing damage was being caused by vandals in the public toilets at increasing expense to HBC.
- (g) Britain in Bloom – request from Cllr C Skaife: the Chamber of Trade had asked for practical help from the Council as the BBC had included Pateley Bridge as one of the town featured in a series about In Bloom. To return to the next Agenda when more information would be available. The Clerk to follow up and to check with the Chamber that it was insured for such activities as litter picking on the Highway etc.

18 Reports from Committees

- (a) Landscape Partnership Board Meeting (previously circulated)
- (b) Cllr I Skaife said that a matter had arisen at the Memorial Hall which for reasons of confidentiality should be discussed in committee at the end of the meeting. This was proposed, seconded and agreed by all.

19 Exchange of Information

- (a) Cllr Hesselden said that new cameras had appeared on the lamp post at Wilsill with a number plate recognition facility.
- (b) Cllr Holt informed the Council that the AGM of the NVA would be held the following Tuesday at 6.00 pm and everybody was welcome. He also mentioned that the trustees were keen to recruit artists to the organisation.

- (c) Cllr Hawkesworth was pleased to report that Dalesbus was running successful trips from Keighley into the Dale.
- (d) Cllr Hawkesworth brought up the problem of overflowing waste bins during busy weekends and bank holidays in spite of requests to HBC for extra services at busy times. The possibility of food outlets providing and maintaining their own bins was discussed, as was the possibility of the Caretaker carrying out extra weekend duties. To return to the Agenda for a decision.

20 Parishioners' Representations:

- (a) A Parishioner representing the RBL was concerned that the refreshments following the Armistice Day Service would not be provided at the Crown this year, but would form part of a larger event at the Memorial Hall. The Chair said that she would discuss this with the Crown and hoped to resolve the matter to suit everyone.
- (b) Another Parishioner present said that there had been a considerable amount of litter in the river recently.

21 Dates of next meetings

- (a) The next meeting will be on Tues 05 June 2018

The Council then went into committee and after a discussion it was agreed that the Mayor had been compromised by being approached in her capacity as Chair of the Council, rather than as Secretary of the Memorial Hall Committee.

The meeting closed at 10.00 pm.