

Minutes of the November meeting for
Yarm Town Council to be held at
The Fellowship Hall (side entrance)
West Street, Yarm TS15 9BT.
Date: Tuesday 8th November 2022
Time: 7pm
Members of the public were invited to
attend the meeting
COVID Guidance at the time applied.
Juliet Johnson, Proper Officer to YTC



Yarm Town Council
Town Hall
High Street
Yarm
TS15 9AH

In accordance with the Openness of Local Government Bodies Regulations 2014, photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted; the Chair will notify those present of this at the start of the meeting and ask whether they agree to be filmed, recorded or photographed

YARM TOWN COUNCIL

MINUTES

PRESENT:

Cllr. John Coulson (Chair)

Cllr. Ian Carter

Cllr. Chris Neil

Cllr. Alan Moffitt (Vice Chair)

Cllr. Peter Monck

Cllr. Pam Smailes

Cllr. Philip Addison (left the meeting at 9pm)

Cllr. Patrick Morton

Cllr. Barbara Wegg

Proper Officer/Town Clerk - J.Johnson

Rate Payers Rep. - Karen Shields

Cllr. Robert Wegg

2 members of the public were present

1.0 Notice of Meeting - public notice of the meeting has been given in accordance with schedule 12, paragraph 10 (2) of the LGA 1972.

2.0 To appoint a Chairman in the absence of the Chair and/or Vice Chair - N/A

3.0 Apologies for Absence - Apologies were received from Cllr. Marjorie Simpson and Ward Councillor Sherris.

4.0 Code of Conduct | Declaration of Interest | Dispensation

- a) To record declarations of interest from members of any item to be discussed
- b) To consider, vote upon and record any requests for dispensation

4.1 Cllr. R Wegg declared a non-pecuniary interest in item 10.3.

4.2 Cllr. Monck declared a personal prejudicial interest in item 10.1 and stated he would not vote on the matter given his membership of the PCC (Parochial Church Council - St Mary Magdalene).

With the exception of any item identified above as containing exempt or confidential information under the Local Government Act 1972 – section 100A(4), members of the public (other than those prohibited from doing so) are entitled to attend this meeting and/or have access to the agenda

4.3 No requests for dispensation were received.

5.0 Confirmation of Minutes

To approve the minutes of the previous meetings:

5.1 Weigh and Tolls Committee held on Tuesday 11th October 2022 and approve their signature by the Chair of the meeting.

PROPOSED: Cllr. Addison **SECONDED:** Cllr. Carter **AGREED**

5.2 Yarm Town Council held on Tuesday 11th October 2022 and approve their signature by the Chair of the meeting.

PROPOSED: Cllr. Addison **SECONDED:** Cllr. Monck **AGREED**

5.3 Leisure & Culture Committee held on Monday 31st October 2022 and approve their signature by the Chair of the meeting.

PROPOSED: Cllr. Monck **SECONDED:** Cllr. Addison **AGREED**

6.0 Matters arising from the minutes of the previous Ordinary YTC meeting, 11th October 2022:

6.1 Litter Bins and Trade Waste Bins : Current Position - In relation to Central Street, **Cllr Morton** reported that Enforcement (SBC) had visited - larger bins (not 'owned') were removed (as per Cllr Sherris's email) but not the smaller bins. Bin liners that had been dumped were removed but a number had appeared again. Enforcement is to re-visit. **Cllr Smailes** reported that the litter picking group had cleared rubbish from this area and reported the problem to SBC.

6.2 YTC 'Charity of the Year' - The Clerk reported on discussion with Corner House Youth Project (our first charity of the year) as regards how they contribute and benefit from up and coming events YTC organises inc. Remembrance Sunday, Carols on the Cobbles/Christmas Tree Lights Switch On and Christmas Eve on the High Street. Lucy Bentley had spoken on behalf of Corner House at the Ridings Reception, their cards had been distributed and banner displayed. Participation in Yarm Gala 2023 yet to be discussed. The Clerk had arranged and badged a wreath for Cornerhouse to place on Remembrance Sunday and has also sorted logo and strapline presence on all YTC emails.

6.3 Ward Budget Funding: Spinner proposed - **The Clerk** confirmed actioning decision from the last meeting i.e. requesting additional ward budget contribution (2023 allocation) to achieve the siting of a Spinner.

6.4 River Walkways Partnership Project: Update - **Cllr Moffitt** reported that fencing has been delivered ready for the river pathway repairs by Stockton Borough Council (SBC), a rescheduled date identified.

Cllr. Carter briefed the meeting re. discussion with a major local company about the potential to site an additional wharf (True Lovers Walk / West side of the river) enabling additional boats to arrive and also safer access to the river that could also be used by swimmers and paddle boarders etc. (e.g. sited opposite the old fire station). The company in question will put together a financial package. Discussions also involved the owner of a boat that offered disability access and could

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contribute to visitor trips to Yarm. The company looking at the wharf project will contact The Crown re permissions (currently there is permission for 5 pontoons and we only have 2). The Environment Agency & the Canals and River Trust are involved. This project would give space for extra boats to come in (larger boat owners in Hartlepool have been spoken to that have not been able to use the existing wharf). The companies involved will come and explain the project further to YTC following further development of the detail. **Cllr Coulson** congratulated **Cllr Carter** on the initiative.

6.6 Pack up & clearing of the Town Hall & Artefacts (£332 & £350 costs) - The Clerk briefed the meeting that the Town Hall was now cleared (following final removals) and that the artefacts had been transported to Preston Park Museum (the costs being £350 and £332 respectively). Some remaining unwanted items are still to be cleared. All other items have been stored in the chapel cupboards and folding chairs are in the allotment hut (agreed with YCAA).

6.7 Drainage issue nr. bridge (True Lovers Walk Volunteers) - no further progress currently.

6.8 Civility and Respect Agenda (including Training) - Cllr Coulson stated that the Clerk will inform Councillors of the next stages/training opportunities and asked Cllrs who else might be interested - **Cllr Morton** would like to attend after Christmas and **Cllr. Monck** confirmed that he would like to join also.

The Clerk briefed the meeting as to the recommendation to adopt the latest model of the Code of Conduct in the format adopted by SBC. This can be updated with a small working group.

6.9 Keeping Yarm Safe: update following meeting - Cllr Carter reported that he thought that more people were reporting specific incidents through the app recommended by the Police Officers that had attended the original residents meeting he'd organised as a resident. He's keeping in touch with the police regularly by email. Cllr Coulson asked whether police feedback suggested the app was working - Cllr Carter reported that people are using the app and there appears to be an increased police presence in Yarm on occasions. **Cllr B.Wegg** referenced the deterrent value of CCTV at Willey Flatts. **The Clerk** confirmed that a previous administration had removed YTC CCTV cameras at Willey Flatts. Reporting of issues enables SBC to build the case for putting in CCTV at Willey Flatts (SBC not YTC can do this) by applying to the Surveillance Commissioner.

6.10 Tree Survey Reports (DOCUMENT REFERS) - The Clerk reported on the tree survey reports recently received from the arboriculturalists which had been circulated to councillors and clarified the status of different categories of work identified i.e. category A (do within 6 months), B (complete as part of general management) and C (not vital but optional). **The Clerk** confirmed that the value of the work (all categories A, B & C) approached £10k but that this included additional work (Category C) that had been requested by a 'church warden' at St Mary Magdalene to the arboricultural surveyor - this work was costed at nearly a third of the overall cost of all the tree surgery. **Cllr Monck** stated that the church had simply 'requested advice' from the surveyor.

Cllr Monck identified 4 dead trees in St Mary Magdalene Churchyard (2 category A & 2 category C). A discussion took place regarding the necessity of health and safety considerations versus diocese permission being required. **The Clerk** referenced Section 215 para.2 LGA 1972 and (in summary) YTC's responsibility for good maintenance of i.e. trees, fences walls and ensuring monuments are safe and that YTC would respond accordingly if there is an immediate risk.

Cllrs Moffitt & Addison suggested no category C work be undertaken (given finances). A vote was taken as to which categories of arboricultural work YTC should contract having received this survey - all category A & B work is to be contracted (across the 7 areas/survey reports).

PROPOSED: Cllr Carter

SECONDED: Cllr Coulson

AGREED

ACTION: Clerk to action processes for necessary arboricultural work to be scheduled and take place.

6.11 Social Media : Guidance on Appropriate Use By YTC / A Local Council - The Clerk referenced this item linking to the Civility and Respect Agenda and potentially as an appendix that links to the due update of the Code of Conduct. The Clerk has liaised with a NALC (national association of local councils) adviser on the matter who'd agreed with the approach that e.g. a) all posts on public sites about things the council are doing should be placed as a team/corporate message by the clerk (checking in with the Chair) so as to clearly identify as from YTC (the crest appearing) and would come from/be done in the name of any councillor or YTC as a whole; these posts can be done quickly; b) what we are not doing is promoting individual cllr projects or group council projects from a private/personal account if posting in a public group (so as to clearly separate the 'personal' from the 'public office'); this can also accidentally look like self-promotion rather than showing working as part of YTC team; c) councillors can obviously post about being a councillor and things they are doing within their own facebook accounts (i.e. not public groups) and amongst friends.

6.12 High St Benches Refurbishment - Cllr Carter is progressing this project and supplies have been arranged locally. The sponsor has forwarded their financial contribution to the supplier and breakdown of spend will be provided. 4 volunteers are ready to start work. **Cllr Addison** will make YTC's payment contribution when required. SBC have been notified of the request to adopt their portion of the High St benches but an answer has not been received yet.

6.13 Planning Objection: Mount Leven Farm Development (No: 21/2925; DOC. REFERS) - Cllr Monck reported that It is understood objections had been upheld by the Planning Committee (councillors) but that the Chief Officers overturned this as the objections didn't stand up legally. The Clerk had submitted YTC's second objection after the last meeting (updating the first objection YTC submitted). It was still not clear whether a contaminated land risk assessment questioned in the first objection had been completed and this application wasn't originally in the Local Plan but information now states that it is. Ward Councillors have requested further information and news is awaited.

(Other matters arising carried forward: Flag Flying Policy; Night Market idea - Research; Minutes Protocol - potential to publish drafts; Heritage Mural Idea; Grass Cutting Contract)

6.14 Cllr B.Wegg asked what had happened re. the naval flag not being flown on the 21st October. The Clerk explained that arrangements were in place but that it was not possible to find space to safely place, foot & climb the ladder, one of the Yarm Fair rides having been placed especially close to the side of the Town Hall this year.

ACTION: **Cllr B.Wegg** to supply contact details for Clerk to explain and send apologies to those who had asked.

7.0 Council Finances

7.1 To authorise payment of the accounts - Payments List Refers (November 2022) - Cllr Addison referenced additional payments to be included e.g. as regards Remembrance costs and £1800 (inc Vat) which is the interim bill for legal costs associated with preparation of Head of Terms/Licence to Occupy for Yarm Town Hall Heritage Centre. Approval of the payments list was proposed and approved.

PROPOSED: Cllr Coulson

SECONDED: Cllr Monck

AGREED

7.2 Income and Expenditure Report - October 2022 (DOCUMENT REFERS) - The Clerk/Cllr Addison referenced that the travellers who were part of Yarm Fair had all happily paid the rent to be present on the cobbles and members of their community had been very helpful in this process.

7.3 Proposal for new thresholds for requesting quotations and conducting tenders in - Given significant inflation rise (and suggestion from a member of the public at the previous meeting regarding this matter re. impact on small businesses) it is proposed to raise financial thresholds for quotes and tenders. **The Clerk** consulted the internal auditor who suggested the thresholds detailed below would be appropriate. Councillors considered raising quotations and tender thresholds as follows:

a) 3 quotations needed for goods / services costing more than £1.5k (current threshold £1k)

PROPOSED: Cllr Addison **SECONDED:** Cllr Coulson **AGREED**

b) tenders to be issued for goods / services costing more than £12k (current threshold £8k).

A vote took place for tenders to be issued for goods/services costing more than **£10k** (amendment for £10k instead of £12k threshold proposed by Cllr Monck)

PROPOSED: Cllr Monck **SECONDED:** Cllr Addison **AGREED**

7.4 Confirmation of Interim Internal Audit - **The Clerk** confirmed that the interim internal audit had been arranged.

7.5 Financial Planning for 2023/2024: Meeting for Committee Chairs - **The Clerk** confirmed that, as in previous years she would arrange the above.

8.0 To Review and Consider the Correspondence List - no queries were received.

9.0 Adjournment and Questions From the Public - **The Chair** adjourned the meeting for questions from the public.

9.1 A member of the public briefed the meeting regarding loose stones in the wall bordering Snaith's field and the adjacent drive. **The Clerk** confirmed that she had already raised the matter for repair.

9.2 This member of the public also raised the idea of community noticeboards to be placed in public locations such as parks. This would cater for many people who do not use social media/internet. Concerns were expressed as regards how these boards would be maintained/ updated and that public notice boards possibly already existed e.g. at the library. The proposer suggested that there needed to be a larger space for the great community offer that Yarm had to advertise. Mention was made of the new electronic noticeboard that would be part of the Town Hall Heritage Centre - this has to contain statutory council notices and the capacity/nature of this is as yet unknown.

9.3 A second member of the public stated that the traffic lights that were part of the diversion for Yarm Fair caused problems. **The Clerk** confirmed that details could be forwarded to her and she would feedback to the Showmen's Guild (Fair organisers) and SBC who have power and duty as regards traffic management matters.

10.0 Policy and Resources:

10.1 Cemetery Report (inc. Tomb survey update) **Cllr Moffitt** reported that he had looked at the wall separating cemetery and allotments as regards the part that had been hit; this is now distorted but still solid. Another part of the wall needs ivy growth removing and repointing.

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ACTION: **Clerk** to seek advice for pushing the coping stones back, holding in place (re. the above) and re-pointing.

The damaged tomb at St Mary Magdalene has been dismantled to complete the survey - significant parts had fallen away as the tomb top had been lifted. **Cllr Monck** stated that the tomb needs to be rebuilt and quoted dioceses regulations in relation to this being a requirement rather than a choice. **The Clerk** stated that the section read from the dioceses regulations related to Section 215 LGA 1972 and that her understanding of this was that any 'requirement' relating to tombstones and monuments related to 'making safe' which did not necessarily imply restoration. **Cllr Monck** disagreed and the **Clerk** welcomed **Cllr Monck** to present the legislation that required full restoration. **Cllr Moffitt** asserted that it is up to tomb and memorial owners to repair and make good any disrepair and that if monuments are very old / no ancestry can be found the duty for YTC was simply to 'make safe'. One option is to simply replace the tomb lid flat to the ground without rebuilding the whole tomb. **Cllr Morton** questioned whether, whilst this tomb was old, it was of particular significance or value. **The Clerk** confirmed that it was not listed with Historic England. **Cllr Carter** questioned the basis on which **Cllr Monck** was promoting the repair of the tomb and contact with the diocese given Cllr Monck's declared interests. **The Clerk** suggested that contact with the diocese on behalf of YTC should be via her to avoid issues as regards interests.

10.1.1 Cemetery Extension Fence (orchard area) **Cllr Monck** suggested that the above had been removed and that this should have been reported to Council. **Cllr Coulson & the Clerk** stated that they understood it had been removed when the orchard had been created which had been discussed extensively and agreed at council in relation to the area being cemetery land (2020). Any fencing matter changed in the allotments was reused but it was understood from Allotments Association that the orchard fence had largely been unsalvageable/rotten. **Cllr R.Wegg** asserted that a change of use should have been applied for before the orchard was created. No change of use was required - the council approved the planting of an orchard being an appropriate backdrop on cemetery land if it is brought into use in the future for cremated remains. **Cllr B. Wegg** complained about the state of the orchard re. weeds. **The Clerk** suggested that YCAA may welcome a new volunteer to help with this if she wished to offer when at the allotment.

The clerk pointed out that the meeting was about to run over time (21.30pm) and that if Councillors wished to continue a vote would need to be taken to waive standing orders. This was proposed and agreed.

PROPOSED: **Cllr Coulson** **SECONDED:** **Cllr Moffitt** **AGREED**

10.2 Allotments Report **Cllr Coulson** reported that the allotments were progressing well with the Allotments Association (1 vacancy currently). **Cllr Monck** had raised an issue regarding skips appearing at the allotments. **The Clerk** confirmed that these were private skips. **Cllr R. Wegg** stated that private skips were not allowed without permission and that other people would fill them unknowingly. The clerk confirmed that permission had been sought, no complaint had been received from the skip owners as to misuse (in fact, the skip owners had invited others to use) and as per a previous meeting where Cllr B Wegg had requested that an advert should appear announcing that general use skips would be available in advance, this now happened so it was clear that all could use when this advert appeared. **The Clerk** confirmed that skips were part of general allotment administration and not needed on the agenda. **Cllrs R Wegg and Monck** stated they had to be approved at Council first. The Clerk referenced Standing Orders on the matter.

10.3 Proposal: people should not have to be a member of the Yarm Community Allotments Association (YCAA - £3 per year) to use the allotment hut

10.3.1 Cllr Monck stated that in his opinion the allotment hut was provided for all tenants irrespective of membership of YCAA and that to require people to be a member in order to use it is discrimination - YTC owns the allotment hut not YCAA.

Discussion took place and points were made including: it was understood that the Allotments Association, in one form or
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another, had always run the allotment hut (**Cllr Coulson**); excluding anyone from using it was discriminatory (**Cllr Moffitt**); the council hut was not bought using council money (**Cllr Coulson**); **Cllr Moffitt** asserted that the hut is owned by the Council & was paid for for the the use of the Allotment Association (clerk concurred with this); current custom and practice (and understood to be past practice) is that the allotment hut is run by YCAA for members (**The Clerk**; noted in minutes of 04/21; from the Clerk taking up post in May 2020, and understood to be the case previous to this) - **Cllr R. Wegg** countered this & the Clerk confirmed that the issue had indeed been made unclear - **Cllr R Wegg** had in the past acted as both YTC Chair of Allotments & Chair of YCAA etc.; YCAA suggest there are currently approximately 98 members (+ 1 person about to join); there are currently 101 allotments and 1 unoccupied; the Clerk has not received complaint/objection from the the several non-YCAA members; **Cllr R. Wegg** stated that the membership figures were untrue and irrelevant - people should be allowed to use the hut without joining; **Cllr B. Wegg** stated that as people paid £30 allotment rent they should be allowed to use the hut without paying a further annual £3.

10.3.2 The Clerk noted respect for the different opinions and strength of feeling regarding this issue - as current custom and practice was that YCAA had run the allotment hut for all members (whether approved of or not by all Cllrs), if YTC wanted to step in and make any decision as regards use of the allotment hut they should discuss this fully with YCAA first; if YTC wanted to run the allotment hut themselves and have a different membership policy this was a different matter and a different motion for which Cllrs could present the case.

10.3.3 The Clerk suggested councillors needed to carefully consider relationships with allotment holders and YCAA - YCAA had delivered lots of work in developing/maintaining the allotments/hut (saving YTC /public money) and had achieved a lot, especially establishing a harmonious allotment community given disputes and disgruntled allotment holders in the past (testimonies on this being made to the Clerk). **Cllr R. Wegg** stated that this was rubbish - **the Chair** objected to this comment. **The Clerk** reminded Cllrs that the National Allotments Association had been involved previously and would become involved again if YTC was thought to be poorly managing relationships with tenants/YCAA. If YTC wished to consider 're-centralising' running the hut to YTC, consideration should be given to the argument for this - best practice currently being empowering local communities/groups to run things for themselves (e.g. National Association of Local Councils conference this week - 'Empowering Communities'); YTC uses forms of 'community run' models in other instances e.g. Morley Carr Bowling Facility and also Fellowship Hall (owned but not run or decisions made by the Council for its running). **The Clerk** reiterated that as part of proper process, a full discussion re. the use of the allotment hut and associated matters should be held with YCAA.

10.3.4 Cllr Coulson moved a motion that YTC should hold proper discussion with YCAA regarding use of allotment hut and related matters.

PROPOSED: Cllr Coulson **SECONDED:** Cllr Moffitt **AGREED**

10.4 Great North Air Ambulance: Proposal for Contribution (previous email refers) - **Cllr Addison** recommended that a donation should be made re. the above. £500 was proposed as the sum.

PROPOSED: Cllr Moffitt **SECONDED:** Cllr Coulson **AGREED**

11.0 Planning & Environment:

11.1 Matters Arising: Planning Applications & Lists - In addition to the update at 6.13 **Cllr Monck** reported that the Yarm Riding School application had been refused.

11.2 Latest Play Area Reports & Issues: Update - **The Clerk** reported on the above including the removal of the Teen Shelter at Willey Flatts (confirming that this had failed due to wear and tear rather than being vandalised). Swing seat damage was however, due to criminal damage - people using the seats as dog chews, incidence of which should be reported. General small repairs would be actioned with a local provider used by a neighbouring council.

11.2.1 Play Equipment - **Cllr B. Wegg** is keen on the outdoor exercise equipment she has seen elsewhere. A member of the public present had also suggested this last year. Whilst the ground surface for the previous enquiry into this had proved the most expensive element, **Cllr B. Wegg** felt she had found a best value solution which included 7 items of equipment and the ground service. Discussion would continue at a future meeting as to location and how such a proposal could be funded.

ACTION: **Cllr Wegg** to forward information to the **Clerk**; comparative quotes to be sought.

12.0 To agree any content for the YTC website and requests for Facebook features

12.1 Feedback on items to date & proposed new items - none - Clerk / ALL

13.0 To receive items for information and consideration for the next agenda - none currently.

14.0 To confirm the date and time of the next YTC meeting: **7pm, 13th December 2022**

15.0 Confidential Item - part of agenda item 9, Weigh & Tolls - Yarm Town Hall Heritage Centre

Cllr Monck reported that SBC had made alteration to part of the Heads of Terms as to the source and nature of funding support for YTHHC. Further clarification is being sought.

In accordance with the Public Bodies Admission to Meetings Act 1960, press and the public shall be excluded for this item due to its confidential nature. LGA Act 1972 schedule 12 paragraph 10(2)(e)

The Public Bodies (Admission to Meetings) Act 1960 Sec 1 (2) - A body may, by resolution, exclude the public from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings; and where such a resolution is passed, this Act shall not require the meeting to be open to the public during proceedings to which the resolution applies.