

NOTICE OF MEETING

You are hereby summoned to a virtual meeting of Yarm Town Council to be held via Zoom on-line.

Date: Tuesday 9th February 2021

Time: 7PM

The venue is thus wherever councillors/public feel comfortable joining from, that is without background noise & sale of alcohol. Members of the public are invited to attend the meeting.

To join the meeting, please use Zoom with ID: 531 963 1657; PASSWORD: 065167

for 'YTC Ordinary Meeting & Weigh & Tolls'

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 photograph

YARM TOWN COUNCIL

MINUTES

PRESENT:

Cllr Alan Gallafant (Chair)

Cllr Peter Monck

Cllr John Coulson (Vice Chair)

Cllr Patrick Morton

Cllr Philip Addison (joined 7.08pm)

Cllr Marjorie Simpson

Cllr Chris Johnson

Cllr Pam Smailes

Cllr Alan Moffitt

Juliet Johnson (Town Clerk / Proper Officer)

1.0 To appoint a Chairman in the absence of the Chair and/or Vice Chair

1.1 N/A

2.0 Apologies for Absence

2.1 No apologies were received.

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

3.0 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

3.1 No declarations of interest or requests for dispensation were received.

3.2 **Cllr Johnson** queried as to whether the Chair would leave the meeting for the 'under the line' section given his previous declaration of interest.

The Clerk clarified that, as far as she understood it, there was no motion to be discussed or voted upon that related to this interest (i.e. if there were to be, any declarations of interest should be made). Councillors were also entitled to be present for discussions even if not taking part/voting. Decision had already been made regarding the direct item of concern (e.g. 20.01.21 EGM) for which Councillors with an interest were not present.

4.0 Confirmation of Minutes

To accept the minutes of the previous meetings:

4.1 The minutes of the **Weigh and Tolls Committee** held on Tuesday 12th January 2021 were accepted and approved for signature by the Chairman of the meeting (**Cllr Gallafant**);

Proposed: Cllr Monck; Seconded: Cllr Moffitt

4.2 The minutes of the **Yarm Town Council Ordinary Meeting** held on Tuesday 12th January 2021 were accepted and approved for signature by the Chairman of the meeting (**Cllr Gallafant**);

Proposed: Cllr Monck; Seconded: Cllrs Coulson & Smailes

4.3 The minutes of the **EGM** held on Wednesday 20th January 2021 were accepted and approved for signature by the Chairman of the meeting (**Cllr Moffitt**).

Proposed: Cllr Moffitt; Seconded: Cllr Monck.

5.0 Matters arising from the minutes of the previous Ordinary YTC meeting, 12th Jan. 2021:

5.1 Additional High St. Banners

Cllr Coulson reported that he and the Clerk had spent time selecting potential images (or parts there of) that could be used for the proposed additional High Street banners (noting Councillors' brief of focusing upon heritage - viaduct, bridge, fair, town hall, river, helmet, rail - and use of the heritage style font as seen previously). A wide selection of images had been sent to the designer to combine with his own. Draft designs now awaited for further selection/agreement by Councillors.

ACTION: Clerk / Cllr Coulson to share the pre-selection of images with Councillors.

5.2 **Snaithe's Field (path/drive access improvement - land ownership clarification)**

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The Clerk updated the meeting that no response had yet been received from the Land Registry.

5.3 Rate Payer's Representative

The Clerk reported that the brief for the above had now been placed on Facebook with a deadline of 28th February.

5.4 Play Area Repairs (request to SBC)

The Clerk briefed the meeting that the repair previously discussed (& notified in the regular reports from Stockton Borough Council - SBC) had now been actioned re. the damaged swing (circa £235).

5.5 Finance and Roles

- a) **Cllr Smailes** expressed that she wasn't sure why this was on the agenda (it was suggested in reply that it was understood she had raised a matter at the previous meeting that had been carried forward to this agenda). Following discussion it was noted that Cllr Addison had been voted as the lead Councillor for Finance at the AGM in May 2020 (**Cllr Johnson** felt the title was confusing) just after the Clerk had been appointed. **The Chair** confirmed that the Clerk was fully involved in all financial planning and matters.
- b) **Cllr Smailes** asked that attention should be given to what financial information is available on YTC's website (Cllr Smailes had emailed Cllrs an example of the list of information on the site for another local parish) including the budget. **The Clerk** outlined that this nearby parish list contained archive information from (e.g.) 2017, 2018 and 2019 and that she had ensured that the current basic information was displayed, (also noting inherited YTC practice), from her appointment (May 2020) onwards. The current budget (2021/2022) had only just been agreed (related minutes signed off at this meeting) and could therefore now be added.
- c) **Cllr Smailes** stated that YTC had previously published Payments and Correspondence lists as part of the minutes and that she had consulted the external auditor (**NB not discussed at the meeting but the Clerk would advise against publication of the Correspondence List re. GDPR and like information in the Payments List**).
- d) **The Clerk** confirmed that sorting and publishing financial information was part of continued work to address gaps in previous YTC practice (noting that it had not been previously requested or known to her as part of practice immediate to her appointment to include the Payments List in minutes publication). The Clerk offered that if she could find, properly identify financial information that she was confident was 'agreed final versions' from years before her employment, she could add this too.
- e) **The Clerk** confirmed that part of the problem might be the change to a new website (prior to her employment) and that financial archive material had not been loaded then. The Clerk had had this problem when it came to organising the AGAR return (August 2020) as it could not be proved that the Expression of Public Rights had been placed on the website during 2019. The Clerk confirmed that this was one of the gaps she had now corrected.
- f) **Cllr Smailes** commented that she thought that it was currently quite hard to find general information on the YTC website as the layout was in disarray.
- g) **Cllr Johnson** said that the 2021/2022 budget hadn't been presented/agreed. Other Councillors referenced that the budget had been presented at the Finance and Governance Meeting (full council membership) on the 5th January 2021 and that the minutes (containing the recommendations for this) had been raised / approved at the YTC meeting on 12.01.21
- h) **Cllr Addison's** significant, continued input and work as Lead for Finance was recognised and greatly appreciated.

ACTION: The Clerk will look at what backdated financial information could be archived onto the website as well as new ongoing information (including Payments as this had now been requested).

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5.6 Tree Works: Update

The Clerk updated the meeting that the contract for YTC's arboricultural work was now well underway (as per the timetable circulated), with method statements being forward to the Clerk for each site in advance. Four sites have been completed including both allotment sites (an additional tree needing attention was identified at Brickyard Allotments and had been removed). Invoices are being paid according to the agreed tender award. **The Clerk** offered the contracted company the choice to change the timetable in order to avoid working in the current severe weather (ref. contractor risk assessments and HSWA 1974). The contractor had confirmed continuation of work.

5.7 Community Development / Veterans Project with SBC

Cllr Gallafant reported to the meeting that he was currently discussing the opportunity and potential for this project (Man Shed) with several local community organisations and SBC and would update colleagues in due course. A site has been identified provisionally and some initial funding offered from local organisations.

5.8 River Walk

Cllr Moffitt feedback to the meeting that the Clerk had composed the previously agreed letter (ref. minutes 12.01.21) which had now been sent to the Environment Agency. No response received as yet.

5.9 Proposed New Car Park - Arncliffe Buildings

Cllr Coulson reported that he had made representation as an individual regarding this issue (in the context of comments/ queries he had received from residents) . **Cllr Coulson** wished it to be known that he was in favour of the proposal. No further information was currently available regarding this (other than on SBC planning portal).

6.0 Council Finances

6.1 To authorize payment of the accounts

Cllr Addison proposed payment of the accounts (attached list refers). **Cllr Addison** requested that 4 additional invoices (since the list had been produced) should also be approved as follows, in relation to / in accordance with the agreed arboricultural contract : £1,056; £936; £2,448; £2,232 - totalling £6,672. **Cllr Moffitt** seconded the proposal.

AGREED: Councillors agreed to payment of the accounts as detailed.

7.0 To Review and Consider the Correspondence List

7.1 Cllr Moffitt asked about the item relating to contact from the police regarding allotments. The Clerk clarified that this was in regard to a police officer who was looking to get together a community of representatives from allotments to review related crime and disorder issues. Cllr Gallafant would be put in contact.

7.2 Cllr Monck asked about the item in the list relating to heritage events. The Clerk explained that this was a marketing email regarding an events company that could provide different 'place tailored' events (one of many) and offered to forward the email to Cllr Monck.

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8.0 Adjournment and Questions From the Public

8.1 **The Chair** adjourned the meeting for questions from the public. No questions were received.

9.0 Policy and Resources:

9.1 Cemetery Report (Update)

9.1.1 Outstanding item in relation to previously agreed fees & charges (paper refers - table of fees and charges).

- a) (Not discussed and not a change but circulated on the new fee structure)The fee for an additional interment remains the same for a full grave i.e.£400, following a change to the fee structure reported at the last meeting. The fee for interment of additional cremated remains is £50.
- b) **Cllr Moffitt** raised the issue of additional interment of cremated remains not always being notified and could therefore result in not being registered by us as required (and not paid for). A recent example had occurred where a request for a double monument inscription had revealed this issue. There have been other similar incidents (including where cremated remains were interred with a coffin).

Cllr Monck also raised the issue that this would also mean that the registrar's office would not know that a person was buried in Yarm Cemetery.

Cllr Moffitt emphasised that this was potentially an issue re communications between funeral directors, the family and the council.

Cllr Johnson stated this could be presented in terms of how important it is to properly register every interment so that YTC can help people find their loved ones. **The Clerk** agreed/confirmed this approach.

Cllr Morton stated the charges structure made sense in terms of the work required in (e.g.) registration etc.

ACTION: The Clerk will raise the issue with funeral directors whilst checking understanding of fee structure previously agreed and add a note to the new payment table (document refers).

9.1.2 Definition of Eligible Family Members

- a) (Not discussed but circulated on the new fee structure), **The Clerk** has noted on the new fee structure that eligible relatives currently considered are grandparents, parents, children and siblings.
- b) **Cllr Moffitt** also raised the issue of at what age cemetery fees started to apply.

Cllr Monck stated that practice to date had been no charges had applied to all aged under 16.

ACTION: Cllr Moffitt / The Clerk to investigate this further.

- c) **Cllr Moffitt** informed the meeting that all registered burials were now on a plan of the cemetery but, in doing this, he had identified 76 graves with incomplete plot numbers and 50 plots that weren't noted (as had been fitted in between others).

- d) **Cllr Moffitt** informed the meeting that in 10-15 years the cemetery might run out of space and therefore new land for a cemetery within the Parish would need to be acquired and that YTC needed to make a decision about this as soon as possible.
- e) **The Chair (Cllr Gallafant)** asked SBC ward Cllr Sherris (present) if he would like to comment on this matter. **Cllr Sherris** thanked **Cllr Moffitt** for the information he had supplied regarding the position in Yarm and that this had been fed into SBC's Place Select Committee (further meeting due Monday 15.02.21) that is considering this matter for Stockton as a whole borough. Cllr Sherris confirmed that if YTC decided not to acquire additional land in order to expand cemetery capacity then burial capacity would fall to Stockton generally. **Cllr Gallafant** commented that a special meeting might be required on this matter.

9.1.3 Memorial Foundation Issue

- a) **Cllr Moffitt** confirmed that the Clerk had researched and produced an additional extract to add to cemetery rules and regulations regarding proper securing of memorials and headstones (attached paper refers).

ACTION: The Clerk will circulate this to the stonemasons in the area.

9.1.4 Bench & Chapel Area Tidy-up

Cllr Coulson reported to the meeting that the bench from Kirklevington Prison workshop was now in place (**Cllr Monck** confirmed that this was a bench that had been retrieved from the riverside and refurbished). **Cllr Coulson** offered to chase up the bench for the south side of the Chapel that had been donated and ordered.

Cllrs Monck & Moffitt commended to the meeting the work that **Cllr Coulson** had achieved in improving the area around the Chapel at the Cemetery.

9.1.5 General Update

Cllr Moffitt confirmed that quotes were being sourced and further awaited regarding the decoration of the interior of the Chapel.

9.2 Allotments Report (Update)

Cllr Gallafant confirmed that there were 12 people currently on the waiting list for allotments and that there had recently been a significant upturn in interest. Subdividing some allotments had helped accommodate more people faster.

The cabin at the Worsall Road allotments had recently been lined by allotment volunteers and the entrance way to the allotments widened (the process of cutting back shrubs to achieve this had revealed old Victorian lamp post remains).

The Clerk has completed a comprehensive spreadsheet in relation to finance and tenancy at the allotments (inc. payment dates, method, receipt and plot numbers, plus additional notes).

9.3 Scholars' Court (Garden Area)

Cllr Gallafant reported that this area was in poor condition and that residents had reported and commented on this. He proposed that YTC/he should attend to this area and adopt it in order to keep it tidy (**Cllr Coulson seconded** the proposal).

ALL AGREED

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9.4 Snaith's Field Roundabout

Cllr Coulson commented on this roundabout (in relation to the above) as also being neglected. He proposed that the roundabout could be significantly improved and suggested that he speak with the gardener / landscaper that had previously helped with High Street and Chapel to also address this. **Cllr Simpson seconded** the proposal.

ALL AGREED

9.5 Continued Administration of YTC (if/when Town Hall Project progresses)

Cllr Addison raised the issue of finding a base for the continued administration of YTC, if /when the Town Hall redevelopment project got underway. **Cllr Gallfant** reported that the matter was in hand (e.g. potential option working with SBC) and that he would welcome suggestions.

9.6 Meetings held online - agreement

Cllr Gallfant asked the **Clerk** to speak and she confirmed that the Council needed to formally record a decision to agree continuation of business online and/or as hybrid meetings (part online & part attendance in person). **Cllr Addison** advocated that this should be until councillors felt safe to meet in person again. The **Clerk** emphasised that this would always be subject to government guidance.

ALL AGREED

10.0 Planning & Environment:

10.1 **Matters Arising from SBC Planning Lists** . No matters were raised.

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

11.1 **Cllr Addison** proposed that a proper financial section be set up on the website in order to load as much useful information as possible. **Cllr Johnson** said he would look at this the next day.

11.2 **Cllr Moffitt** reminded the meeting of the work undertaken to develop the burials database and that **Cllr Johnson** was helping realise this on the website with search functionality.

Cllr Morton proposed a vote of thanks for **Cllr Moffitt** for his extensive work on this (**seconded** by **Cllr Smailes**).

11.3 **Cllr Morton** advocated that a website feature should go up regarding the reasoning/decision to cancel The Gala. **Cllr Addison suggested** this should also go on the Noticeboard.

11.4 **The Clerk** updated the meeting as regards recent facebook posts including Environment Agency briefings, the advert for the Rate Payers Representative and the work at the Chapel which had proved very popular and much appreciated (also attracting new YTC facebook followers).

12.0 To receive items for information and consideration for the next agenda

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12.1 None presented at this time - Items to be forwarded to the Clerk

13.0 To confirm the date and time of the next YTC meeting: Tuesday 9th March 2021

14.0 Confidential Item(s)

14.1 Discussion & response from Cllr. Johnson re. issue raised at E.G.M. 20.01.21.

a) **Cllr Gallafant** handed over to **Cllr Moffitt** who had been the Chair of the EGM (20.01.21)

b) **Cllr Moffitt** confirmed the issue in question and that YTC had agreed to put this on the agenda asked **Cllr Johnson** to explain i) why he had taken the course of action he had and on what authority (given there was a due process in place) and ii) why he had not consulted / copied in the Clerk and other Councillors to the communication.

c) **Cllr Johnson** asked the meeting what they would like him to say. **Cllr Moffitt** re-stated the questions and the issues. **Cllr Johnson** suggested that he had a different issue than the one posed on the agenda by YTC councillors and that he had individual right/duty as a Councillor to look into this. **Cllr Moffitt** emphasised that YTC was one body, that it wasn't appropriate for individual Councillors to take such action (which undermined the Clerk, therefore YTC as a whole). **Cllr Moffitt** stated that **Cllr Johnson** had already asked the Clerk for an answer regarding the matter of a communication (at a meeting) and the Clerk had assured (all Councillors) confirming the action in question had been taken.

d) **Cllr Johnson** stated that he had no confidence in the Clerk.

e) **Cllr Moffitt** again posed the questions that YTC had agreed again (b) above) and asked Cllr Johnson if he therefore did not believe the Clerk. **Cllr Johnson** re-stated that he had no confidence in The Clerk and that he'd made no secret of the matter and had said so openly and emailed all on a number of occasions many months ago.

f) **Cllr Johnson** stated that the matter had taken too much time/money. **Cllr Moffitt**/others stated that they felt **Cllr Johnson's** actions (the reason for this being an agenda item) were causing/exacerbating this.

g) **Cllr Morton** commented that **Cllr Johnson** could not act independently in this way and that we must act as one body. **Cllr Johnson** asserted that if he thought things weren't being done correctly he had a right to check things. **Cllr Moffitt** stated that **Cllr Johnson** should bring any such concerns back to the Council. **Cllr Johnson** stated that he wouldn't, given he had no confidence in the Council to which **Cllr Moffitt** suggested that, if that was the case, Cllr Johnson might consider resigning.

h) **Cllr Monck** stated that he felt that undermining the Clerk (and thus YTC) was a repeated pattern of behaviour and therefore proposed a vote of confidence in the Clerk. **Cllr Moffitt** seconded this.

AGREED: a vote of confidence in the Clerk by **Cllrs. Monck, Moffitt, Gallafant, Coulson, Addison, Morton and Simpson**. Councillors **Johnson** and **Smailes** stated 'no confidence'.

14.2 Update on action for Clerk re. confidential item of EGM 23.11.20.

a) **The Clerk** updated the meeting regarding the contents of a spreadsheet supplied by YTC’s adviser in this matter and confirmed that its content was within what had been agreed by the Council for this matter.

The Clerk re-stated the interpretation of the spreadsheet. This included the facts that a) an additional item (relating to a matter in 2017) was also shown but was unrelated to the matter in hand and b) other items were listed (as a result of 14.1 f, and other necessary comms resulting from the situation/actions of the third party concerned) but were not being set against the matter as per the advance agreement with the Clerk - well within what was agreed by YTC. The adviser has however, shown itemised on the spreadsheet the additional comms that had been caused e.g. 3rd party requests/ comms between a Councillor and the 3rd party.

b) The Clerk recapped the timeline for the matter: all information pertaining to Councillors making a decision on the matter had been forwarded to Councillors; the instruction agreed/minuted by Councillors was forwarded to YTC’s advisor promptly; sharing with Councillors the advisor’s suggestions in response to their instruction immediately (inc. concurring with Councillor Johnson that the wording was different to what YTC had minuted, hence the need for the EGM 20.01.21, in which this was further discussed, but for which Councillor Johnson sent apologies); the Clerk restated the adviser’s reasoning behind their wording and quoted the previous meetings where this had been articulated (including by **Cllr Moffitt** who confirmed this). **Cllr Johnson** now asked for this in writing and posed a number of questions to the Clerk regarding the matter.

c) **The Clerk** stated that all/any information, repeated requests and communications involving the 3rd party had needed to be sent to and reviewed by the adviser on the basis this material may significantly impact upon the timescale/achievement of an outcome/closure of the matter (i.e. so this formed the contents of the spreadsheet supplied by the adviser). The Clerk restated that the contact with the 3rd party must happen between YTC’s adviser and the 3rd party’s adviser.

d) **The Clerk** reported that there had been no response from the 3rd party’s adviser re. closure of the matter.

e) **Cllr Johnson** continued to question the Clerk. **The Clerk** re-stated the issues/reasons regarding communications with the adviser. **Cllr Johnson** stated that he was still not happy with what the adviser had provided. **Cllr Morton** proposed that he was not happy with **Cllr Johnson’s** actions re. this matter (subject of agenda item 14.1) and that this should be minuted. **Councillors Coulson, Gallafant, Monck, Morton and Moffitt** voted in support of this minute. **Cllr Addison** abstained stating he had already noted this behaviour (towards Clerks).

The Chair thanked all in attendance and closed the meeting.

Signed (Chair:.....Dated:.....

Signed (Clerk):.....Dated:.....

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)

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