

Monk Fryston Parish Council

NOTICE OF MEETING

I hereby give notice that a meeting of the Parish Council of the above-named Parish will be held remotely via Microsoft Teams on Wednesday 21 October 2020 at 7.30pm.

All members of the Council are hereby summoned to attend for the purpose of considering and resolving upon the business to be transacted at the meeting. Dated this 14th October 2020

AGENDA

Item		Lead
1	To receive apologies for absence	
2	To receive declarations of interest	
3	Confirmation of Minutes	
	a To confirm the Minutes of the Meeting held on 16 September 2020	
4	Residents Issues (15mins allocated to receive residents representations to the Council) Issues have been raised about 1) overgrowing vegetation, 2) hidden highway signs, 3) street name plates, 4) the supply pillar at Lumby Hill Sub station and 5) traffic congestion and associated safety issues at school opening times. Email correspondence issued under separate cover	
5	Planning	Chair
	1) To agree consultation responses to the following planning proposals: a Outline application for the erection of 3 dwellinghouses to rear of existing dwelling with all matters reserved, Ashville, Main Street, Monk Fryston (details issued under separate cover) 2) Decision notices received a None received	
6	Finances	Clerk
	a Authorised payments since last meeting: 1 Clerks SO salary payment b Current Account Current Account as Statement to 1 October 2020	£16,834.23

Monk Fryston Parish Council

Item		Lead
	<p>Previous Balance £10,916.67</p> <p>Cash received £10,100.00</p> <p>Cheques issued and cleared £4,182.44</p> <p>Cheques not cleared £2,085.02</p> <p>Cash available when all cheques cleared £14,749.21</p> <p>c Savings Accounts</p> <p>Yorkshire Bank (before July interest) £43,113.00</p> <p>Skipton BS (new account opening balance) £73,191.56</p> <p>Nationwide BS £70,322.32</p> <p>d Future Commitments / Income</p> <p>Liabilities as set out in Balance Sheet schedule (-) £9,670.02</p> <p>Creditors (+) £1,094.36</p> <p>Total Commitments (-) / Income (+) (-) £8,375.66</p> <p>e Cash Book</p> <p>Cash Book Balance at 13 October 2020 £14,749.21</p> <p>f Current Account / Cash Book Reconciliation</p> <p>The 'Cash available when all cheques cleared' (b above) reconciles with the 'Cash Book balance when all cheques cleared' (e above)</p> <p>g Expenditure / Budget comparison</p> <p>The comparative expenditure through to the end of September was £13,278.92 against a forecast of £10865.00.</p> <p>h Audit Control</p> <p>Councillors to confirm that they are satisfied that the above demonstrates that the PC is maintaining an effective system of audit and control including taking account of commitments and liabilities as required by the annual audit.</p>	
7	Clerks Update	Clerk
	<p>a The three PC's have agreed to implement the three clerks joint recommendation for addressing the Burial Committee's accounting issues.</p> <p>b The replacement Skipton Building Society fixed rate bond is in place and a certificate of investment has been received.</p> <p>c Tree specialists have been sourced to tender for providing the Chestnut Green report</p> <p>d More antisocial behaviour has been reported at Chestnut Green. Unfortunately NYCC Police did not respond to the 101 notification at the time (email correspondence issued under separate cover).</p> <p>e The planters have been replanted with Winter plants and will be returned once bedded in off site</p> <p>f The bench has been removed at Chestnut Green, anti-littering notices have been put in place and the additional bin is expected to be on site in early November</p> <p>g The meter at Chestnut Green has been disconnected and arrangements are in</p>	

Monk Fryston Parish Council

Item		Lead
	hand for Npower to retrieve it for safe keeping.	
8	Motions (<i>in bold italic</i>)	Various
	a To make payments in accordance with payments schedule (issued under separate cover)	Cllr SW
	b To consider the mid year review of budgeted expenditure and agree any ensuing action (details issued under separate cover)	Cllr SW
	c To agree attendance at this year's Remembrance Service, obtain wreath and make donation of £30 to the supplier The Royal British Legion	Cllr SW
	d To inform SDC that the PC has agreed to adopt the telephone box outside The Crown. SDC has informed the PC that it will not be objecting to the proposal to remove the box and adoption is the only option that will ensure it's retention (email issued under separate cover). Representations have been made on behalf of the Time Team (emailed details issued under separate cover)	Cllr SW
	e To purchase a dog litter bin at an approximate cost of £200 plus vat and agree a location for its placement on Fryston Common Lane	Cllr AS
	f To determine arrangements for deployment of the 'Tommy' statue over the Remembrance Day period	Cllr SW
	g To sponsor the floodlighting of St Wilfrid's Church for one week at a cost of £30.	Cllr SW
	h To agree the content of the letter to be sent, jointly with SMPC, to NYCC about the Lumby Lane / Cass Lane Milford Grange footpaths. Draft issued under separate cover	Cllr SW
	i To identify any items requiring repair and / or maintenance	
9	Discussion Items	
	a Residents issues received under item 4	Cllr SW
	b The draft budget for 2021.2022 (details issued under separate cover)	Cllr SW
	c Foregoing a December meeting	Cllr SW
	d Parking on Fryston Common Lane (email issued under separate cover)	Cllr AS
10	Updates	Various
	a Burial Committee.	Cllr SS
	b Safer Roads Partnership	Cllr RB
	c Village Decoration	Cllr SS
	d Lumby Lane cycle / footway initiative	Cllr BH
	e Footpath adjacent to Community Centre.	Cllr BH
	f Projects Working Party	Cllr BH
	g Registered Footpaths	Cllr SW
	h Mount possessory title	Clerk
11	Correspondence	
	POST IN	
	a Skipton BS certificate of Investment	
	b Selby District Food Bank – posters	
	c Yorkshire Bank Statement	

Monk Fryston Parish Council

Item		Lead
	POST OUT a Burial Committee - payment b Elmhirst Parker - payment	
12	Items For Next Meeting	All
	a Items to be with Clerk before 10 November for next meeting on 18 November	

BUDGETED EXPENDITURE		ACTUAL EXPENDITURE	MID YEAR EXPENDED	BALANCE	Remaining forecast	Final Out- turn Forecast	Difference
			%				
	£22,700	12191.07	54%	£10,509	£10,896	£22,687	(13)
Definite Fixed Costs	10450	5499.16	53%	4951	4659	10158	(292)
Clerks Salary	4350	1656.00	38%	2694	2694	4350	0
Statutory Insurance	450	421.00	94%	29	0	421	(29)
Burial Committee	1450	1405.02	97%	45	0	1405	(45)
Internal and external Audits	300	99.10	33%	201	205	304	4
Grass Cutting	3150	1690.00	54%	1460	1460	3150	0
Electricity for lighting	750	228.04	30%	522	300	528	(222)
Definite Variable Costs	1580	416.31	26%	1164	834	1250	(330)
Lighting repairs	200	0.00	0%	200	200	200	0
Office Running Expenses	750	366.31	49%	384	384	750	0
Room Hire	250	50.00	20%	200	50	100	(150)
Cllr Expenses	180		0%	180	0	0	(180)
Winter Gritsand	200		0%	200	200	200	0
Optional Costs	10670	2872.44	27%	7798	5003	7875	(2795)
Village Decoration	4200	2115.00	50%	2085	1530	3645	(555)
Grants	1450	241.50	17%	1209	1000	1242	(209)
Renewal of street lights	1000		0%	1000	600	600	(400)
Training and Prof Memberships	400	313.00	78%	87	0	313	(87)
Highways Infrastructure	1400		0%	1400	1000	1000	(400)
Newsletter	200	132.94	66%	67	133	266	66
Bench and bus shelter cleaning	370	70.00	19%	300	240	310	(60)
Legal advice	500	0.00	0%	500	400	400	(100)
Mount fence painting/repairs	750	0.00	0%	750	0	0	(750)
Triangle fence painting/repairs	400	0.00	0%	400	100	100	(300)

£10,145	£4,930	5215
3,550	1770	1780
250	125	125
0	0	0
450	450	0
1,350	0	1350
225	225	0
3,000	1400	1600
600	600	0
520	260	260
200	100	100
£1,210	£465	745
500	250	250
250	125	125
180	90	90
180	0	180
100	0	100
£17,165	£8,850	8315
240	0	240
500	0	500
2,375	1200	1175
3,300	0	3300
400	300	100
0	0	0
250	250	0
1,000	1000	0
600	600	0
3,000	0	3000
5,500	5500	0

APPENDIX A

2021.22

Item	
Definite Fixed Costs	10659.00
Clerks Salary	4182.00
Clerk Use of Facilities	255.00
Clerk National Insurance	0.00
Statutory Insurance	459.00
Burial Committee	1479.00
Internal and external Audits	306.00
Grass Cutting	3213.00
Electricity for lighting	765.00
Definite Variable Costs	1611.60
Lighting repairs	204.00
Office Running Expenses	765.00
Room Hire	255.00
Councillor expenses	183.60
Winter Gritsand	204.00
Optional Costs	9701.40
Grants	1530.00
Winter plants 2019/20^	0.00
Replacement of street lights (led lante	0.00
Summer plants 2019^	0.00
Christmas Trees^	0.00
Highways infrastructure	1428.00
Training and Prof Memberships	408.00
Land inspection	0.00
Village decoration	2754.00
Cleaning of bus shelters and benches	377.40
Newsletter x2	204.00
Legal Advice	500.00
Chestnut Green landscaping work	2500.00
Total	21972.00

Requirement

Target % increase	2.00%
Target Requirement	20604.00

2020.21 (PRECEPT £20200)

Item	
Definite Fixed Costs	10450.00
Clerks Salary	4100.00
Clerk Use of Facilities	250.00
Clerk National Insurance	0.00
Statutory Insurance	450.00
Burial Committee	1450.00
Internal and external Audits	300.00
Grass Cutting	3150.00
Electricity for lighting	750.00
Definite Variable Costs	1580.00
Lighting repairs	200.00
Office Running Expenses	750.00
Room Hire	250.00
Councillor expenses	180.00
Winter Gritsand	200.00
Optional Costs	8220.00
Grants	1500
Winter plants 2019/20^	
Replacement of street lights (led lanterns)*	
Summer plants 2019^	
Christmas Trees^	
Highways infrastructure	1,400
Training and Prof Membersh	400
Land inspection	0
Village decoration	2700
Cleaning of bus shelters and	370
Newsletter x2	200
Mount fence painting	750
Triangle fence painting/repai	400
Legal advice	500
Total	20250

Requirement	20250
--------------------	--------------

Target % increase	2.00%
Target Requirement	20205

Shortfall on Precept

1368.00

Actual % increase

2.23%

Joint statement

South Milford Parish Council and Monk Fryston Parish Council

Footpath 35.59/6/1 Common Lane - Ingthorne Lane and 35.59/14/1 A162 – Long Heads Lane

South Milford Parish Council and Monk Fryston Parish Council, henceforth referred to as the Councils, set out below their position with regards to the footpaths 35.59/6/1 (Common Lane - Ingthorne Lane) and 35.59/14/1 (A162 – Long Heads Lane). This statement will be posted in the Councils' public notice boards, websites, and social media pages, and circulated to the Footpaths Department at North Yorkshire County Council for action, and relevant landowners and residents.

Footpath 35.59/6/1 Common Lane - Ingthorne Lane

The public footpath 35.59/6/1 runs between Common Lane and Ingthorne Lane. Recently, the location of the path in the vicinity to Milford Grange has been contested. Figure 1 is reproduced from North Yorkshire County Council definitive map, available from <https://www.northyorks.gov.uk/rights-way-maps>.

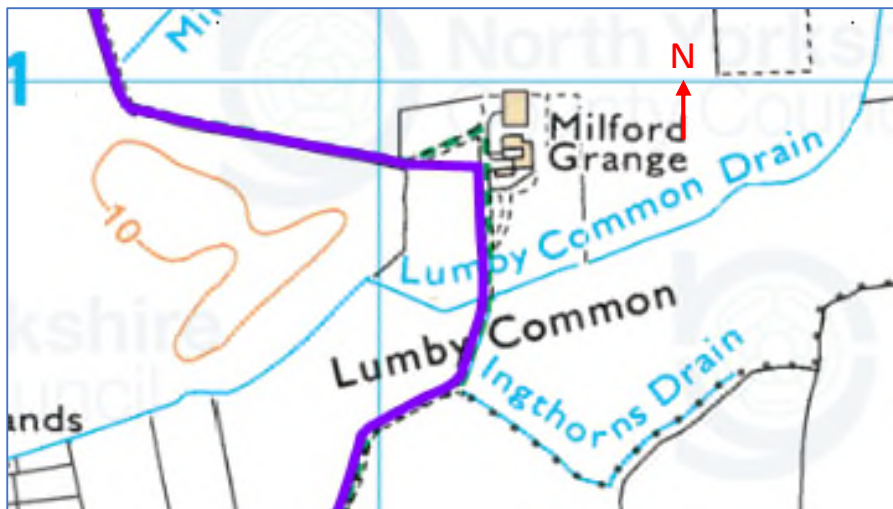


Figure 1: Map of section of public footpath 35.59/6/1 near Milford Grange

The definitive line is marked in blue in Figure 1. From the South Milford side, the definitive line follows Turpin Lane up the point where Turpin Lane turns northeast in the direction of the farm buildings. At that point, the definitive line continues straight to re-join Turpin Lane in front of one of the Milford Grange buildings. The Councils are aware that this section of the definitive line is obstructed by a hedge on the west side of Turpin Lane, and often it has been planted over with crops.

The Ordnance map route is marked in the dashed green line in Figure 1. This route follows Turpin Lane. The Councils have heard that the public has regularly used this route from the 1940s to the present. This route has signs stating that it is a private route. Nevertheless, the evidence of long-term use could support an application to North Yorkshire County Council to confer public rights on this route.

Recently a third route has been proposed – this is set out on signs on Turpin Lane. From the South Milford side, this route diverts from Turpin Lane (where Turpin Lane turns northeast) to head south,



then east following the field border, meeting Turpin Lane close to Lumby Common Drain. This route could be interpreted to be an implied dedication to the public, which could support an application to make it a public right of way.

The Councils are aware of local residents' concerns regarding invasion of privacy and anti-social behaviour by a minority of members of the public, as well as concerns by members of the public that the well-used Ordnance Survey map route that was suitable for people with reduced mobility and for buggies is no longer available.

As a compromise position, the Councils propose that the definitive line route should be made available to the public, and used by the public instead of the other routes. This is because the definitive line route is the official public right of way, thereby avoiding the need for a modification order or a diversion order. Nonetheless, the Councils note that the public and landowners retain the right to make an application for a diversion, extinguishment, creation or modification order regarding this or other public rights of way.

The Councils note the recent developments in this route. Upon inspection on the 10th October 2020, there are official way markers from North Yorkshire County Council which mark the definitive line over the field to the west of Milford Grange and there is a passage through the hedge; the signs stating that the route is a private road remained. The Councils are unable to confirm whether the way markers and the passage in the hedge follow the definitive line route.

35.59/14/1 A162 – Long Heads Lane

The public footpath 35.59/14/1 runs between Long Heads Lane and the A162 (see Figure 2 below). Until recently, the footpath had been signposted at the eastern and western entrances. The signage is no longer in place. In recent years, the east section of the path has been obstructed – this is marked on the map in red. Therefore, members of the public have accessed the path walking on Long Heads Lane without challenge, even though this track does not have public right of way status. In recent months, the western section of the path was obstructed by crops (marked in yellow on Figure 2), which have now been harvested.

In June 2019, the Monk Fryston Parish Council brought the problems with accessing the path to the attention of the Footpaths Department at North Yorkshire County Council. The Footpaths Department confirmed that obstructions to the path should be investigated by the maintenance team, who will contact the landowners and if necessary, take enforcement action. As of the 10th October 2020, access to the path remains obstructed.

The Councils note that, following the contact by South Milford Parish Council, the landowner of the field where the western section of the footpath lays (in yellow), has agreed to reinstate the footpath as per the definitive line. [The owners of the small field adjacent to the obstructed path across the garden of Long Heads House are also aware of the situation and have indicated no opposition to reopening the footpath leaving the section which crosses the garden of the owner of Long Heads House as an incomplete section of the footpath.](#)

[The Councils request the reinstatement of the route in line with the Definitive Pathway while acknowledging the owners right to apply for a diversion order to resolve the issue,](#)

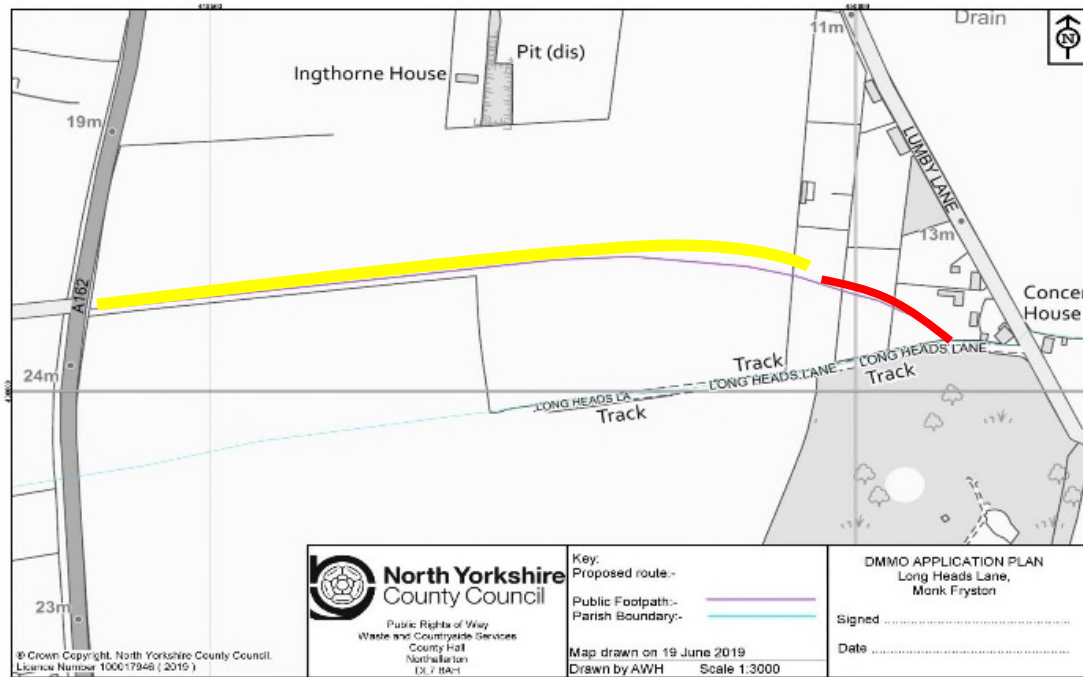


Figure 2: Map of footpath 35.59/14/1 A162 – Long Heads Lane

Proposed actions

The Councils ask the landowner(s) to reinstate the public footpaths to a usable condition:

- With regards to the footpath 35.59/6/1 Common Lane - Ingthorne Lane, this involves keeping the definitive line route through the field clear of crops, together with the other requirements in the law. The Councils also ask that the signs diverting the public to the third route are removed.
- With regards to the footpath 35.59/14/1 A162 – Long Heads Lane, this involves reinstating the link to Long Heads Lane, removing hedgerows which obstruct it, establish passages between the field boundaries and keeping the footpath clear of crops and vegetation, together with the other requirements in the law.
- The full list of requirements are set out in the Highways Act 1980, and explained in the North Yorkshire County Council website (<https://www.northyorks.gov.uk/rights-way-maintenance>).

The Councils ask North Yorkshire County Council to deliver its obligations, namely to install signposts, liaise with the landowners to reinstate the footpaths, and to confirm that the definitive lines are abided by. With respect to the footpath 35.59/6/1, the Councils note that North Yorkshire County Council intended to confirm that the definitive line was reinstated as soon as the harvest was brought in, which has now occurred.

The Councils ask the public to keep to the public footpaths and to be considerate to local residents and landowners.