



Minutes of the ordinary meeting of the Parish Council held on Monday 15th January, 2018 in the Parish Council Meeting Room

Present: Councillor M. Wilson (Chairman),
Councillor Mrs. C. Gilsenan (Vice Chairman),
Councillor Mrs. M. Beadle,
Councillor S. Crowther
Councillor N. Embleton,
Councillor C. Everett,
Councillor L. Foggett,
Councillor R. Goodchild
Councillor Mrs. V. Greenwell,
Alan Macnab, Clerk.

In attendance: Borough Councillor Mrs. D. Jones and 6 Members of the Public.

The meeting started at 6.30 p.m.

339. Chairman's Opening Address

The Chairman welcomed everyone to the meeting.

340. Apologies for Absence

Apologies for absence were received from Councillor M. Robertson.

341. Declarations of Interests

No declarations of interests were made.

342. Minutes of the Parish Council meeting held on the 18th December, 2017

The minutes of the Meeting of the Parish Council held on the 18th December, 2017 were presented. The following amendments were proposed:

- a. Minute No. 328h. The closing date should read the 8th January, 2018 not the 16th January, 2018.
- b. Minute No. 330b. A written agreement between Londis and the Parish Council be drawn up regarding use by Londis Staff of the Car Park, thus formalising the current oral agreement, as Mr Hill had been happy to do this. It was discussed and agreed at the Parks and Grounds Committee meeting on 19th July 2017 to

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recommend this to the Parish Council meeting of 13th November 2017, where it was subsequently agreed. However, this had not been actioned to date.

c. Minute No. 324. Guidance from the NALC was that a Council cannot approve a Councillors absence unless a reason is given. The Councillor must give a reason for their absence from a meeting and the minutes of a meeting must record that approval of the Councillor’s absence was agreed by resolution and where possible, the reasons for the absence.

The Clerk advised that this guidance was contained in NALC Legal Topic No. 8 January 2015. However Legal Topic No 5 March 2017 stated that ‘if a councillor wants his absence from a meeting to be approved by the council, he should submit his written request together with the reason for absence before the meeting takes place. The minutes of the meeting must record if it resolved to approve a councillor's absence from the meeting and, if possible, the councillor's reason for absence. The recording of such information must not conflict with a council's duty to handle personal data or sensitive personal data in accordance with its obligations under the Data Protection Act 1998.’ There was a contradiction in the two Legal Topic Notes. The Parish Council agreed that the Clerk will seek advice from the Head of Democratic Services at Darlington Borough Council and the Secretary of the Durham Association of Local Councils.

It was proposed by Councillor Crowther, seconded by Councillor Everett and **agreed** by the Parish Council that the minutes be approved, subject to the amendments being made.

343. Matters Arising

a. Parish Council Facebook

The Chairman reported that he had received administrator rights to the Parish Council’s Facebook page.

b. Story/Miller Homes Site – Update

Councillor Robertson reported in his email to the Parish Council that a digger was working on the site before 8 a.m. The companies had received verbal warning by the Borough Council’s Enforcement Officer. Borough Councillor Mrs. D. Jones urged the Parish Council to keep reporting the infringements of the planning conditions. The infringements should be reported to the Enforcement Officer if external work was being carried out on the site before 8 a.m. and at weekends. It would help the Enforcement Officer if the registration numbers and the name and address of the company vehicles who were infringing the planning conditions were given to Councillor Mrs. D. Jones.

It was also reported that litter on the site and adjacent to the site had been cleaned up.

c. Neasham Road Site

Councillor Mrs. Gilsean reported that a complaint had been received from a resident about the number of HGVs entering the site from Neasham Road, mud on the road from the site vehicles, noise from the vehicles and the damage to two speed humps in Neasham Road. Councillor Embleton reported that the footpaths had mud on them and the grass verge in Thorntree Gardens had been damaged by a lorry parking on it. Borough Councillor Mrs. Jones had reported these incidents to the Borough Council.

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344. Planning Matters

Councillor Mrs. Gilson reported that a meeting of the Planning Committee was held on the 10th January, 2018 when the following matters were considered.

a. New Planning Applications.

Borough Councillor Mrs. D. Jones expressed concern that all members of the Parish Council were not involved in considering and taking decisions on planning applications which could lead to complaints to the Ombudsman. Councillor Mrs. Gilson explained that the Planning Committee was required by its Terms of Reference to consider and make recommendations to the Parish Council on planning applications. Other members of the Parish Council can attend Planning Committee meetings. The public can attend the Planning Committee and make representations. The public can also make representations to the Parish Council who will examine a planning application again. Councillor Crowther explained that the Parish Council makes recommendations on planning applications but the final decision to approve or to turn down a planning application was taken by Darlington Borough Council.

Following a discussion, it was **agreed** that all Parish Councillors would be sent the agenda and papers for all Planning Committee meetings.

Councillor Mrs. Gilson reported that the Planning Committee had considered the following planning applications:

- i. **17/01119/FUL. Erection of agricultural worker's dwelling, livestock barn and associated footpath diversion, at White House Farm, Sadberge Road, Middleton St. George.**
- ii. **17/01125/FUL. Construction of an external timber-framed pergola with covered roof and glazed screens to two sides, at Oak Tree Inn, Yarm Road, Oak Tree, Middleton St. George.**
- iii. **17/01093/FUL. Erection of entrance porch to front elevation, at 9 The Meadows, Middleton St. George.**

The Committee agreed that no comments be made on the three planning applications.

- iv. **17/01151/RM1. Reserved Matters relating to details of access, appearance, landscaping, layout and scale, for residential development of up to 198 no. dwellings pursuant to outline planning permission 15/00976/OUT dated 01 July 2017, Land at rear of High Stell, Middleton St. George.**

The application was received from Darlington Borough Council on the 20th December, 2017 which showed that there was one access to and from the site which was through Grendon Gardens and The Greenway. Concern was expressed about the timing near Christmas but it was pointed out that the developer had a right to make changes to the planning application when they wanted to because the cost of submitting an application was met by the developer.

The Planning Officer wrote to the developer pointing out that there was only one access which was different from the outline planning approval for the development and he asked the developer to amend the plans to show two accesses. The original plans had been turned down by the Borough Council because there was only one access.

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The Parish Council considered that Grendon Gardens and The Greenway were unsuitable as an access road to the High Stell development because of the bend in the road, the narrow width with parked cars on the road and was virtually single file for traffic.

Following a discussion, the Parish Council **agreed** to hold a meeting for residents to express their views on the High Stell application and it be held on Saturday 27th January, 2018 from 10 a.m. to 12 p.m. in St. George's CE Academy to enable residents to put individual views to the Borough Council on the proposals. The Clerk will contact the school to arrange the public meeting, to invite the developer and to arrange for notices to be placed on the website and the three noticeboards. Councillor Mrs. Gilsenan will arrange for the notice to be placed on the Parish Council's Facebook page. The Chairman will arrange for the notices to be produced. Borough Councillor Mrs. D. Jones agreed to invite the Planning Officer and a reporter to the meeting.

b. Darlington Borough Council Housing Targets.

A report was given that Darlington Borough Council's housing target which would form part of the Local Plan to 2036 proposed that 492 new houses would be built each year over the next twenty years compared with the Government's proposed target for Darlington which was 177 new houses each year over the next twenty years.

The Parish Council considered a list of points on the housing numbers including the concern that Middleton St. George was taking its fair share of new housing and the way in which planning applications were considered and decided at the Planning Applications Committee which had been prepared by Councillor Mrs. Gilsenan. A Special Meeting of the Parish Councils Association to consider the housing targets and to address the concerns of Parish Councils will be held on Wednesday 17th January which would be attended by the Chairman of the Parish Council and the Clerk.

The Parish Council **agreed** that the points which Councillor Mrs. Gilsenan had prepared will be taken to the Parish Councils Association meeting on the 17th January.

c. Report and Updates on Planning Applications

i. 16/00396/OUT – 55 Houses Lancaster House, Durham Tees Valley Airport.

Borough Councillor Mrs. D. Jones reported that the Tees Valley Combined Authority's Cabinet will be making a decision on the transport needs of the Tees Valley on the 12th January, 2018 which will include the provision of improved bus services.

ii. 17/00847/FUL – 44 Houses Yarm Road, Middleton St. George

There was nothing to report.

iii. 16/00972/FUL – 27 Houses Middleton Lane – Section 106 Contributions

Councillor Mrs. Beadle reported that a request had been made for a Section 106 contribution for this development for the green areas in Middleton St. George.

iv. Proposal for 430 houses, school, supermarket and other shops, Yarm Road, Middleton St. George

A planning application had been submitted to Darlington Borough Council.

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v. Proposal for 70 houses, Yarm Road, Middleton St. George

An application had been submitted to Darlington Borough Council for 67 houses.

d. Middleton St. George Draft Spatial Plan

Councillor Mrs. Gilsean submitted a response to the Draft Spatial Plan for Middleton St. George to the meeting. The Draft Spatial Plan was the subject of the consultation organised by Darlington Borough Council on the 6th December, 2017.

There was a need for the response to be compared with the submission made to Darlington Borough Council by the former Chairman of the Parish Council before the response is sent to the Borough Council.

The Parish Council **agreed** that the response prepared by the former Chairman be circulated to the Parish Council to compare it with the new response and a request be made to Darlington Borough Council for a further extension for the response to be made,

e. Neighbourhood Development Plan

There was nothing to report.

f. Proposed Church Centre

The Parish Council agreed at its meeting on the 18th December, 2017 to discontinue negotiations with St. Laurence's Church PCC on the proposed Church Centre next to the Parish Council offices in the Water Park because of the need to retain as many green spaces in the village for the anticipated future population needs. The Clerk had informed the Secretary of the decision.

The Secretary of the PCC wrote to the Parish Council requesting that it reconsiders its decision and enclosing an up to date architect's drawing/plan of the proposed centre.

Following a discussion, it was proposed by Councillor Crowther, seconded by Councillor Mrs. Gilsean and **agreed** by the Parish Council that it reviews its decision in six months' time and for the PCC be invited to the meeting to make representations.

g. Other Matters

i. CPRE Membership Fee

The Planning Committee agreed to recommend to the Parish Council that it becomes a member of the CPRE in view of the valuable assistance given in planning matters. The annual subscription was £36.

The Parish Council **agreed** to become a member of the CPRE and pay the annual subscription of £36.

ii. Planning Appeal

A notice of a planning appeal to the Planning Inspectorate had been received against the refusal of planning permission for the erection of a dwelling to replace an existing caravan (re-submission) at Oaklands Meadows, Oaklands Farm, Middleton St. George.

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The Parish Council had objected to the planning application when it was submitted to the Planning Committee.

The Committee **agreed** to reaffirm its previous objections to the planning application.

iii. Issue raised by a resident

A member of the public informed the Planning Committee that residents in The Greenway had been approached by representatives offering to purchase their homes over the market price for the properties.

The Parish Council expressed its displeasure about the actions of the representatives.

345. Financial Matters

Councillor Mrs. Beadle reported that a meeting of the Finance Committee was held on the 8th January, 2018 when the following matters were considered.

a. 2017-18 Financial Report, Progress against the Budget, Bank Reconciliation and Bank Statement as at the 8th January, 2018

i. Financial Statement

The Financial Statement gave the income, expenditure and balances in the Parish Council's accounts as at the 8th January, 2018 were:

Contingency - Saver Account 1 – Barclays	= £21,353.08
Contingency - Saver Account 2 – Barclays	= £16,300.86
Reserves - Account with Darlington Credit Union	= £ 5,081.45
Community Account	= £53,353.41
Barclaycard Expenditure:	= Nil

ii. Progress against the Budget

The year end carry forward to the 2018-19 financial year was anticipated to be £37,140.18.

iii. Bank Reconciliation

The bank reconciliation on the 8th January, 2018 showed that the Community Account spreadsheet balance held by the Parish Council was £53,353.41 and the Community Account balance held by the bank was £53,423.41. A difference of £70 which was due to one cheque for £10 and one cheque for £60 not being cleared by the bank.

iv. Bank Statement

The bank statement showed that the balance of the Parish Council's Community Account on the 8th January, 2018 was £53,423.41.

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b. Payments received and outstanding and Payments for Approval.

i. Payments received

Date	Customer	Amount
	N I L	

ii. Payments to the Parish Council which are outstanding

Date of invoice	Customer	Amount
01.11.2017	Middleton Fisheries. Rent for using ponds 2 and 3 for November 2017	£100.00
01.12.2017	Middleton Fisheries. Rent for using ponds 2 and 3 for December 2017	£100.00
08.01.2017	Middleton Fisheries. Rent for using ponds 2 and 3 for January 2018	£100.00
	Total	£300.00

iii. Payments for Approval:

Date	Supplier	Amount
12.01.2018	Scottish Power – Gas Monthly	£55.00
15.01.2018	M. Palfreman. Grounds Maintenance December, 2017	£666.41
15.01.2018	Councillor Mrs. M. Beadle. Purchase of first aid kits	£26.82
15.01.2018	TT ElecMech Limited. PAT Testing	£54.00
15.01.2018	CPRE Annual Subscription	£36.00
22.01.2018	BT Hub Monthly	£35.99
31.01.2018	Cleaner - C. I. Wood Pay	£70.00
31.01.2018	Litter Picker - J. D. Lynn Pay	£510.00
31.01.2018	Clerk - A. W. Macnab Pay	£559.80
	TOTAL	£2,014.02

c. Timetable of Controls – January 2018

The Timetable of Controls Report for January 2018 was presented. The Clerk reported that the actions which were given in the report had been carried out.

d. Review of the Assets Register

The Clerk reported that the 2015-16 assets register had now been found which showed the values of assets held. The values in the assets register was used for the 2015-16 annual return. He was updating the assets register to include the values in the 2015-16 register.

e. Financial Regulations

The Financial Regulations had been reviewed by the Finance Committee on the 8th January, 2018. The Committee recommended that the Parish Council approve the Financial Regulations.

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The Parish Council **agreed:**

- i. that the payments given in the schedule be approved;
- ii. to note that the actions in the Timetable of Controls report had been carried out;
- iii. to note the progress made on updating the Assets Register; and
- iv. to approve the Financial Regulations.

346. Parks and Grounds

a. Water Park – Broken Stile

The Clerk reported that he had received a reply from the Borough Council’s Rights of Way Officer who was trying to arrange for the stile to be repaired by the Community Payback Team.

b. Play Area and Playing Field

Councillor Crowther reported that the he had inspected the play area, the playing field and the fencing which were in a satisfactory condition with no health and safety issues detected.

The Clerk reported that he was drawing up wording for the sign for the entrance to the car park.

Councillor Mrs. Greenwell reported that she had not received a reply from Streetscape Products who were going to supply and fit the caps on the multi play unit which were missing and a response on the matting which had sunk in two places. Councillor Mrs. Greenwell will contact Streetscape Products again.

c. The Front

Councillor Mrs. Beadle reported that a meeting with Groundwork North East was being held to discuss the work to lower the trees to restore the view over the river. This would necessitate liaison with Darlington Borough Council for planning permission. Tenders for the work would be sought which would be forwarded to the Parish Council who will have to appoint a contractor to carry out the work.

No further action had been taken on the seats on The Front because was agreed to carry out the cleaning and restoring work in the Spring of 2018. Councillor Mrs. Greenwell agreed to arrange for the seats to be sprayed and cleaned.

d. Rights of Way

The Clerk stated that he had received a reply from the Borough Council’s Rights of Way Officer on the obstruction on the footpath opposite Acorn Close. The Rights of Way Officer had asked the landowners to ensure a large enough gap is created to allow access by wheelchairs and pushchairs.

The Clerk also reported that he had received the definitive map of rights of way in the Parish and showed the map to the meeting. The Parish Council asked if the Rights of Way Officer if he will scan the map.

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e. Projects - Adult Play/Exercise Equipment

Councillor Mrs. Greenwell circulated information about adult play/exercise equipment. Grant funding with match may have to be provided for the equipment. The equipment would have to be separate from the play area and there would be a risk that it may be vandalised.

Following a discussion, the Parish Council **agreed** that the Clerk will contact the Parish Council’s insurers to find out the additional premium for the equipment. The Clerk will also ask the Durham Association of Local Councils and Darlington Association of Parish Councils for guidance from those Councils who have installed adult play/exercise equipment. Councillor Mrs. Greenwell was asked to give information from other providers of the equipment.

f. The Whinnies Nature Reserve

Councillor Mrs. Beadle reported that the dog bins in The Whinnies were not being emptied. This had occurred on a number of occasions and had been reported to Darlington Borough Council.

The Parish Council **agreed** to Councillor Mrs. Beadle’s suggested for her to contact Durham Wildlife Trust to ask them to contact Darlington Borough Council to arrange for the bins to be emptied regularly.

347. Review of Committees

The Chairman reported that it was agreed at the Parish Council meeting on the 11th September, 2017 to review the number of committees in January 2018.

Following a discussion and votes on the committees, the Parish Council **agreed** that:

- a. The Finance Committee be retained and meet bi-monthly until August and then once each quarter.
- b. The Planning Committee would be retained and meet once each month. The vote was 8 votes in favour of retaining the Planning Committee in its present form and 1 vote against.
- c. The Parks and Grounds Committee will be disbanded and its work be subsumed within Parish Council meetings. There were 3 votes in favour of disbanding the committee, 3 against disbanding the committee, 1 Councillor abstained and 2 Councillors did not vote. The Chairman used his casting vote in favour of disbanding the committee.
- d. The Community Liaison Committee will be disbanded and its work be subsumed within the Parish Council meetings. There were 3 votes in favour of retaining the committee, 4 votes for disbanding the committee, 1 abstention and 1 Councillor did not vote.
- e. The Standards Committee will be retained and retitled the Policies and Procedures Committee. The vote was unanimous to retain the committee.

348. General Data Protection Regulations – Update

The Clerk reported that guidance had been received from the NALC via the Durham Association of Local Councils and from the Information Commissioner on the regulations. The information from the NALC was that no decision had been made on who should be the Data Protection Officer but the Information Commissioner

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was looking for authorities to take steps to implement the regulations by the date when the regulations took effect in May 2018. The Clerk stated that the Information Commissioner’s guidance was being implemented and a report on how the Parish Council can comply with the Regulations was being prepared,

The Parish Council **agreed** to note the report.

349. Clerk’s Pay – Update

The Chairman reported that this item was more an examination of the Clerk’s hours. The Clerk presented a table giving his hours of work which were as follows:

Week commencing 10 th December, 2017	- 26.38 hours.
Week commencing 17 th December, 2017	- 29.05 hours.
Week commencing 24 th December, 2017	- 8.45 hours.
Week commencing 31 st December, 2017	- 21.15 hours.
Week commencing 7 th January, 2018	- 25.05 hours.

Following a discussion, the Parish Council **agreed** that the Clerk continues to record his hours and present them to the Parish Council.

350. Parish Council Training. Durham Association of Local Councils Bespoke Training – Update

The Clerk reported that the two dates for the bespoke training which had been agreed at the Parish Council meeting on the 18th December, 2017 i.e. Monday 29th January or Monday 5th February, 2018 were not convenient for Durham Association of Local Councils and he was seeking alternative dates from the Association when the training can be held.

The Parish Council **agreed** to note the report.

351. Website Training – Update

The Clerk confirmed that the website training will be held on Thursday 18th January, 2018 at 2 p.m. in the Parish Council Meeting Room.

352. Battle’s Over. A Nation’s Tribute – Update

The Clerk reported that he had received a reply from St. George’s CE Academy that they were willing to participate in any events to mark the centenary and that he had also written to the Ward Councillors.

The Parish Council **agreed** that the Clerk will write to the Community Centre to ask if they wished to participate in any events.

353. Councillors Report

Councillor Embleton asked why the Parish Council did not have an item for any other business. It was reported that any other business is not allowed at Parish Council meetings because it was a requirement that an item must be specifically placed on the agenda for discussion at that meeting.

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354. Date of next meeting

The Parish Council **agreed** that the next meeting will be held on **Monday 12th February, 2018 at 6.30 p.m. in the Parish Council Meeting Room.**

The meeting ended at 9.25 p.m.

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