

**MINUTES OF THE MEETING OF THE
MALTON TOWN COUNCIL**

HELD IN COMMUNITY HOUSE, ON WEDNESDAY 25 APRIL 2018

- PRESENT** Councillors P Andrews (Mayor), Mrs J Lawrence (Deputy Mayor), D Lloyd-Williams, P Emberley, G Lake, Mrs A Hopkinson, M Dales and Mrs K Ennis
- IN ATTENDANCE** Mrs G Cook (Clerk), Rev J Manchester, Cllr L Burr and Ray King (Mayor of Norton)
- APOLOGIES** Cllr C Turner and D Townsend

171. CODE OF CONDUCT

Members were reminded of their individual responsibility under the Code of Conduct in respect of making declarations of interest. If Members have already identified a situation which would require this, the declaration can be made now.

Cllr Paul Emberley declared an interest in item 14.n (Option 3)

172. PUBLIC ACCESS

None

173. MINUTES

RESOLVED

That the Minutes of the Council Meeting held on 28 March 2018 be approved and signed as a correct record.

174. MATTERS ARISING

175. FINANCIAL REPORT AND ACCOUNTS

(i) Members noted the financial report showing the position as of 28th March 2018.

Thirty four accounts were submitted for approval.

Stuart Bainbridge	Additional Manpower	68.00	On-line Payment
Ryedale District Council	Rent - Community House 01/12/17-31/03/18	2093.32	On-line Payment
Howarth Timber	Materials	102.44	On-line Payment
Smith of Derby	Clock Service Old Malton/St Leonard's Church	596.40	On-line Payment
Ryedale District Council	Market Towns Contribution 2018	500.00	On-line Payment
Zurich Municipal	Insurance	2747.41	On-line Payment
Zurich Management Services	LCAS Seminar	72.00	On-line Payment
Fitzwilliam (Malton) Estate	Orchard Field Rent Qtr 1	1200.00	On-line Payment
YLCA	Membership Fee	835.00	On-line Payment

Ryedale District Council	Trade Refuse Service	275.32	On-line Payment
Complete Office Solutions	Stationnery	357.55	On-line Payment
Tate Smith Ltd	Civic Service Refreshments	82.00	On-line Payment
Fitzwilliam (Malton) Estate	Annual Bus Shelter Rent	10.00	On-line Payment
Fitzwilliam (Malton) Estate	Annual Lease Lady Spring Wood	1000.00	On-line Payment
Newsquest Media Group	Recruitment Advertisement	420.00	On-line Payment
Vale Engineering (York) Ltd	Pesticide Refresher Training	95.00	On-line Payment
Archbishop Holgate	Allotment Tenancy	335.76	On-line Payment
J B Motors	Fuel	58.73	On-line Payment
C Brettle	Reimbursement of Electricity	39.27	On-line Payment
MKM	Materials	173.49	On-line Payment
Hopkinson & Sons Ltd	Materials	23.00	On-line Payment
R Yates & Sons Ltd	Materials	86.40	On-line Payment
Mr & Mrs Croft	Reimbursement of 2 x Plots Old Malton Cemetery	400.00	On-line Payment
Gail Cook	Reimbursement of GDRP Pack	30.00	On-line Payment
Calverts Glass	Glazing - Cemetery Information Board	68.16	On-line Payment
North Yorks Pension Fund	Pension Contributions - March 18	1790.17	On-line Payment
HMRC	Tax/NI - March 18	1623.77	On-line Payment
Staff Salaries	March Salaries 18	4734.06	On-line Payment
Ryedale District Council	Cemetery Rates	71.40	Direct Debit
Npower	Energy - Christmas Lights Wheelgate	26.20	Direct Debit
Spoton.net Ltd	MIB Website Subscription	48.00	Direct Debit
EE	Cemetery Mobile Phone	20.48	Direct Debit
N Power	Energy - New Malton Cemetery Qtr 4	95.69	Direct Debit
XLN	Phone/Internet	66.23	Direct Debit
Total		17983.93	Direct Debit

(ii) Members considered the revised budget.

RESOLVED

- (i) That thirty four accounts be approved for payment.
(ii) That the revised budget be approved.

176. MAYORS ANNOUNCEMENTS

The Mayor reported as follows:-

- (i) **Functions Attended.** The Mayor had attended the Drifffield Town Council civic dinner on 13th April, the Mayors Charity Ball at Kirkbymoorside Golf Club on 21st April and the Ryedale Youth Theatre Little Shop of Rocky Horrors production.
- (ii) **Waste & Minerals Plan.** The Mayor presented his report on the meeting attended in April which had been previously circulated.

177. FLOODING

Cllr Dales report that the emergency response to the March floods was handled efficiently and pumps were put in place quickly. The town council pump was deployed at Chandlers Wharf in Malton ready for use if required. It was **agreed** to purchase two Malton town council stickers for the town council pump.

178. RYEDALE LOCAL PLAN

Members noted the proposed sites document and policies map for Examination in Public. It was agreed to advise Ryedale District Council that:-

- (i) No further development should be given permission in Malton until satisfactory measures are in place to resolve all outstanding issues in regard to the existing traffic congestion and future traffic issues likely to arise as a result of the anticipated increase in the number of trains.
- (ii) No further development should be approved prior to the Local Plan Sites Allocation Document being adopted.
- (iii) No additional dwellings in this plan period over the initial number of dwellings specified in the Ryedale Plan.
- (iv) To object to the re-development of the Ryedale House site for housing, this would have a negative effect on the visual look from the link road on the entrance to Malton, this currently provides a natural break between Old Malton and Malton.
- (v) Members were supportive in principle of the land to the east of Beverley Road, Norton but had serious concerns with regard to the potential increase in traffic through Old Malton. Residents had reported a large increase of lorries travelling through Old Malton early in the morning due to the new weight restriction.
- (vi) The drainage and sewerage system in Malton requires major improvement works prior to any further development.

179. PARISH ELECTION CHARGES CONSULTATION

Members noted the consultation by Ryedale District Council on parish election charges. It was **agreed** to strongly object to the proposal and give delegated authority to the Mayor and Clerk to complete the survey.

180. NEIGHBOURHOOD PLAN STEERING GROUP

Cllr D Lloyd-Williams reported that the steering group are currently waiting for a plan from Ryedale District Council. Once this had been received, the steering group would meet to agree the re-drafted consultation document which would go ahead early May.

181. REPRESENTATIVES

MNAP

Cllr P Emberley report that the annual general meeting was held on 10th April, the next meeting would be held on 5th June at Norton Town Council. Unfortunately, the flood issues had delayed the riverside project but work was now progressing well.

Milton rooms

Cllr P Andrews reported that a revised heritage lottery bid would shortly be submitted, if the funding bid is refused the project would be funded by smaller pots of funding on a phased approach.

182. **PLANNING APPLICATIONS**

Eight applications to the Local Planning Authority were considered.

Application No	Applicant/Location	Proposal	Decision
18/00243/MREM	Land at Edenhouse Road, Old Malton, Malton	Erection of Unit A – Industrial unit subdivided into 4 no units and Unit B – Industrial unit subdivided into 2 no units: Phase 1 of reserved matters (outline approval 14/00426/MOUTE dated 24.03.15 refers as amended)	<u>RESOLVED</u> Approved
18/00308/LBC	2 Navigation Wharf, Yorkersgate, Malton, YO17 7AA	External and internal alterations of warehouse to a mixed use of catering food preparation (Use Class B2) and private dining area (Use Class A3) to include replacement of south elevation timber entrance doors with a timber and glazed entrance screen, reinstatement of windows in existing timber frames on east elevation, cast iron ventilation grilles on the east and west elevations, removal of timber bin store, installation of a suspended steel and concrete floor and commercial kitchen fixtures and fittings, formation of a toilet/welfare area and dry lining of internal walls	<u>RESOLVED</u> Approved
18/00307/FUL	2 Navigation Wharf, Yorkersgate, Malton, YO17 7AA	Change of use and alteration of warehouse to a mixed use of catering food preparation (Use Class B2) and private dining area (Use Class A3) to include replacement of south elevation timber entrance doors with a timber and glazed entrance screen, reinstatement of windows in existing timber frames on east elevation, cast iron ventilation grilles on the east and west elevations and removal of timber bin store	<u>RESOLVED</u> Approved
18/00298/HOUSE	3 Collingwood Gardens Malton YO17 7YQ	Erection of single storey extension to rear	<u>RESOLVED</u> Approved
18/00332/CAT	25 The Mount, Malton, YO17 7ND	Trees along the boundary in rear garden, reprofiling of poor pruning cuts on Beech T2, tree T5 and Beech T6. Limb reduction by approx. 5m of 2 low limbs over neighbours garden Beech T3	<u>RESOLVED</u> Approved
18/00259/FUL	Saville House, 9 Saville Street, Malton, YO17 7LL	Alteration and extension to include erection of single storey rear and side extension together with formation of opening in gable at ground floor level to allow installation of a window at ground floor level	<u>RESOLVED</u> Approved
18/00325/FUL	6 & 8 York Road Malton YO17 6AX	Erection of a building forming one double garage for 6 York Road and one double garage for 8 York Road following demolition of existing garage/shed structures to the rear of the two properties.	<u>RESOLVED</u> Approved
18/00305/MREM	Linden Homes The Showfield (Phase 3) Pasture Lane Malton	Erection of 12 no 2 bed dwellings, 32 no 3 bed dwellings and 43 no 4 bed dwellings, together with construction of earth bund to eastern and northern boundaries	<u>RESOLVED</u> Refusal The Town Council recommend that the developer adhere to the original number of houses in the approved application as this would adversely impact on highways safety and prejudice the allocation of new development prior to the EIP on the allocations document.

183. **CLERKS REPORT**

(a) **FLOODING EMERGENCY RESPONSE UPDATE (EMILY MELLALIEU, NYCC)**

Mins April 2018

Whilst the work towards the scheme continues, NYCC had had recent successes, the overall funding status remains insecure.

NYCC had approved an allocation of £450k towards any shortfall in costs of the eventual scheme in January 2018. This financial year would be devoted to securing the indicative allocated funding, from a variety of sources including the LEP and EA, and in the on-going sourcing of the current shortfall in the funding.

NYCC would also be looking at simultaneously commencing groundwater study, and any other ground condition/hydrological modelling required during 18/19 which would allow costs and the overall scheme to be refined.

NYCC would be looking to bid this year to the Regional Flood and Coastal Committee for the remaining shortfall in the project and any other relevant sources that become available would be fully explored.

(b) GREEN DOG WALKER SCHEME

The District Council is offering parish and town councils the chance to join the Green Dog Walkers Scheme. Dog owners are encouraged to be village and town wardens and join the campaign by attaching a bright green ribbon to their dog lead. This identifies them as a dog walker with spare poo bags and also report any dog walkers who don't pick up after their dog to Ryedale District Council.

The campaign had proved popular in other parts of North Yorkshire, in part because many dog walkers like to be positively identified as being responsible and as someone who always picks up after their pet.

Any dog owners who share images of their dogs sporting a green ribbon with us on our social media channels would be automatically entered into our competition to find the furry face of future anti-dog fouling campaigns.

The scheme would be promoted on the Malton Town Council website and display the stickers on the existing bins reminding dog owners that bagged poo can go in regular waste bins as well as the dedicated dog poo bins.

(c) RYEDALE RAMBLERS SURVEY - JOHN HARLAND

Ryedale Ramblers are developing a new method for surveying our public rights of way (PROWs) in the district and are inviting anyone with an interest to get involved and become a Local Footpath Monitor (LFM).

If you are interested in becoming involved and attending the meeting when it is held, then please let me know by email: j.harland400@btinternet.com.

(d) GDRP (GENERAL DATA PROTECTION REGULATIONS)

The clerk had completed a GDRP audit for Malton Town Council and would report back at the next meeting, following attendance at the training course on Thursday 19th April.

(e) WELCOME TO MALTON SIGN

It was **agreed** to purchase a new sign to replace the vandalised side of the sign on Castle Howard Road from Harrisons & Son Ltd at a cost of £285.00. The Clerk to liaise with Malton & Norton Rotary and CIC regarding splitting the cost three ways.

(f) RAINBOW LANE PLAY AREA

It was **agreed** to carry out necessary repairs to equipment as per the annual ROSPA inspection at a total cost of £2,265. The urgent repairs would be carried out on the seesaw, space whirl, cableway, muga and arch climber.

It was **agreed** to purchase a large bin with lid at a cost £230.

(g) WAR MEMORIAL

The order had been placed for the new plaques. MFE would be cleaning the memorial last week in April. Once listed buildings approval for the railings had been received from RDC, quotes for the railings could be obtained. It was anticipated that work would commence late May on the surfacing and erection of the new plaques.

(h) **CEMETERY MANAGER UPDATE**
FUNERALS

New Malton Cemetery - 1 single plot 16th April

Old Malton Cemetery - 1 single plot 6th April

OTHER WORK

- The re-siting of fallen grave stones in Old Malton cemetery.
- Spraying rear of grave stones in both cemeteries.
- Making new soil box for Malton cemetery
- Topping up sunken graves in both cemeteries
- Completing new cold frame for plants in Malton cemetery.
- Taking down the fallen wall, tidying away debris, re-building wall, pointing up and fitting capping stones to wall (photos available at the meeting).

Members formally thanked the cemetery staff for their continued hard work.

(i) **MALTON FITZWILLIAM ESTATE ANNUAL WARD WALK**

The walk would be carried out on Monday 25th June starting at 6pm from the Estate Offices, the walk would consist of a talk about current and future projects around the town. The walk normally takes around 2 hours, weather dependant. Please can Members **advise** the Clerk if they are attending this walk?

(j) **MALTON, NORTON & DISTRICT HOSPITAL**

The clerk had received a letter thanking the town council for the donation of £365.50 being the proceeds from the Charity Concert held on 10th February 2018. The Mayor added that over £1,400 had been raised for charity in this Mayoral year.

(k) **ADDITIONAL HOURS**

It was **agreed** that the clerk increase her hours in May to full time (37 hours per week) to cover the work of the Assistant Clerk.

(l) **CHRISTMAS LIGHTS**

It was **agreed** to purchase 1565 glass bulbs in various colours that Acorn Lighting Services had in stock for the festoon on Wheelgate and Yorkersgate at a cost of 25p each, total cost £391.25.

(m) **INTERNAL AUDIT - HMRC**

The clerk had contacted the Internal Auditor regarding the HMRC small business allowance. Please see the response below:-

"The duties of an internal auditor are to ensure that the payroll controls are effective i.e. that employees are paid the correct rate as per their contract as agreed with the council, that payments are properly authorised and that payments are made to HMRC as required, as notified by their own system.

Accounts and Audit Regulations 2015

5.-(1) A relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance.

This explains that internal audit was about controls and processes not checking each item and figure. The purpose of internal audit is to review and report to the authority on whether its systems of financial and other

internal controls over its activities and operating procedures are effective. Internal audit does not involve the detailed inspection of all records and transactions of an authority in order to detect error or fraud."

Members **agreed** that no further action should be taken.

(n) **OFFICE ACCOMMODATION**

Conversion of the Chapel of Rest. Members would recall they have resolved to pursue option 1. In accordance with this instruction an estimate for repairing and converting the chapel of rest had been obtained from Stone & Associates, this exceeded the estimate previously provided following discussions with local builders. In these circumstances it was considered appropriate to bring this matter back to Council.

Option 1

The Clerk had contacted the Valuation Office regarding the rates for the conversion of the chapel of rest to office accommodation. It was confirmed that the Town Council would not lose the rate relief on Malton Cemetery, the office would be rated separately, and therefore, the annual rates would be approximately **£4,000 per annum** due to the location and size of the conversion. If the building was repaired, with the addition of a kitchenette and toilet for the cemetery staff only, the rates would remain unchanged.

Proposal of Stone & Associates (Malton)

The clerk had carried out a site meeting with Ben Stone. In summary Ben had predicted the project sum required would be in excess of £150,000. The fee for the pre-constructed stages would be a lump sum of £12,130, which would not include planning or building regulation fees. In addition to £450 to carry out the role of principle designer. The construction stage fee would be a lump sum of £5,600 (this included 12 visits, printing and travel costs).

Proposal of PPIY (York)

The Clerk had carried out a site meeting with Graham Saxton, Chartered Building Surveyor Accredited in Building Conservation. Graham was working on the Methodist Chapel project in Saville Street. His proposal was:-

"RIBA Stage 0 - 1

With regard to the preparation of a feasibility study, our services would comprise of:

- Visiting the site and undertake a measured survey of the whole of the building.
- Undertake a simple condition survey of the building and transfer any repairs required onto the feasibility plans. Written report not included.
- Purchasing and adapting OS mapping for the site.
- The preparation of existing and proposed drawings for 3 options in plan form using CAD programme. Following the review of the plans by you, we will address any changes required in plan form. We will also produce some elevations of the agreed scheme, for final agreement.
- We have allowed for up to three meetings to review the proposed options and discuss feedback.

The fee for the services described above would be **£2,900** plus travel costs.

Initial Budget Costings could be provided for each of the 3 options and would include for other additional costs which might be incurred as the project proceeds, i.e. Structural Engineers designs, Legal Fees, Ecological Surveys, Arboreal Surveys etc, an additional charge of **£350**.

Option 2 - The Old Town Hall

Annual rent of £4,275 exclusive of VAT and rates, with an additional rent of £860 per annum to cover maintenance, repair and decorate the main structure of the demised premises. This option would include a five year lease with a one year break clause. The rates for the premises would be approximately £3,200 per annum in addition to rates of £4,000 for New Malton Cemetery (currently free of charge). The total annual cost would be **£12,335**.

Option 3 - The Wesley Centre, North Wing, Saville Street

The Mayor, Deputy Mayor and Clerk had visited the Wesley Centre to look at potential long term office accommodation for the town council.

In summary, the town council would occupy an office on the second floor, in addition to a meeting room. The Wesley Centre would consider a rent of £4,850 per annum for this proposed accommodation in the north wing, subject to further negotiation.

The Wesley Centre were content to enter into a Service Level Agreement with the town council for the provision of all common utility costs, including heating, lighting, integrated telephone services, fast fibre Wi-Fi, cleaning and future access to reception facilities in the main building: the reasonable additional cost of such a SLA to be the subject of further negotiation. The total annual cost would be **£4,850** plus the SLA cost (to be confirmed). The Council would not lose its rate relief on the cemetery.

Summary

Members understood that whether the chapel of rest is converted or not, there are essential repairs which would have to be paid for in addition to any annual cost which would be incurred if either option 2 or 3 were to be approved.

RESOLVED

- (i) That the Clerk instruct PPIY to carry out a feasibility study for the three options available for the cemetery chapels.
- (ii) Defer the decision on the North Wing of The Wesley Centre until the next meeting.

184. MEETINGS

Ryedale Market Towns Meeting, Wednesday 23rd May, 4pm at Pickering Memorial Hall

185. NEXT MEETING

Annual Town Council Meeting Wednesday 23rd May 2018 at 7.15pm

186. EXCLUDED ITEM - STAFF MATTERS

The Mayor stated that it was important that all Members work together for the best interests of the town, everyone was a volunteer and should be treated each other and staff with respect. This was agreed.

RESOLVED

- (i) That under the Public Bodies (Admission to Meetings) Act 1960, members of the press and public be excluded for the following items of business as the Council considers that the business to be transacted is of a confidential nature.
- (ii) The clerk to amend the Code of Conduct to include harassment and bring back to the next meeting for approval, together with recommendation for any other changes.
- (iii) That the revised Staffing Committee Terms of Reference be approved with the amendment of 1. Membership shall include the Mayor, Deputy Mayor, Chair of M&NAP, RCIA,

M&N Neighbourhood Plan Steering Group and Project Lead for Malton In Bloom.

- (iv) The Staff Committee Members were confirmed and will consist of the Mayor, Deputy Mayor, Chair of M&NAP, RCIA, M&N Neighbourhood Plan Steering Group and Project Lead for Malton In Bloom.
- (v) That delegated authority be given to the Mayor and Clerk to short list for the role of Assistant Clerk.
- (vi) The Staffing Committee would be the interview panel for the appointment of the Assistant Clerk.

..... TOWN MAYOR. MALTON TOWN COUNCIL