

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 at the Community Centre, Old Vicarage Lane on Tuesday 16 April 2024 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 11 April 2024

AGENDA

Item		Lead
1	a To receive apologies for absence given in advance of the meeting b To record apologies for absence not given in advance of the meeting c To consider the approval of reasons given for absence	
2	a To receive declarations of interest b To receive early verbal notice of any Councillor's intention to raise amendments to motions on the agenda as per Standing Order 1g.	
3	Confirmation of Minutes	
	a To confirm as an accurate record the Minutes of the Meeting held on 19 March 2024	
4	Residents Issues (15mins allocated to receive residents representations to the Council)	
	a None received in advance of the meeting	
5	Planning	Chair
	1) To agree consultation responses to the following planning proposals: a Application of 150 mm thick external wall insulation, render finished, replacement of existing fenestration with triple glazed timber framed windows and doors, installation of air source heat pump, internal remodelling and conversion of part of roofspace to create additional residential accommodation and installation of photovoltaic solar panels, Brecks Farm Cottage, Selby Road, Monk Fryston b Air Source Heat Pump (ASHP) installation at this property. 10kW aroTherm plus Vaillant Heat Pump located at the back at the property, Glenside Cottage, 2 Lumby Lane, Monk Fryston 2) Decision notices received a None received	
6	Finances	Clerk
	a Authorised payments since last meeting: 1 Bank Statements (2no) to 31 March refer (issued under separate cover). b Current Account Current Account as Statement to 31 March 2024 £24,396.99 Previous Balance £22,154.16	

Monk Fryston Parish Council

Item		Lead
	<p>Cash received £4,228.64</p> <p>Payments issued and cleared £1,985.81</p> <p>Payments not cleared £00.00</p> <p>Cash available when all cheques cleared £24,396.99</p> <p>c Savings Accounts</p> <p>Yorkshire Bank (at point of closure) £19,237.29</p> <p>Skipton BS £74,759.50</p> <p>Nationwide BS at 31 March (after £2,530.40 interest) £74,638.30</p> <p>d Future Commitments / Income</p> <p>Liabilities as set out in Debtors and Creditors schedule (-) £15,105.29</p> <p>Creditors (+) £2,753.00</p> <p>Total Commitments (-) / Income (+) (-) £12,352.29</p> <p>e Cash Book</p> <p>Cash Book Balance at 4 April 2024 £24,396.99</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 Capital Reserve Statement</p> <p>Amount ring-fenced for capital expenditure is £148,453.</p> <p>Amount ring-fenced for CIL expenditure is £4271.</p> <p>Reserve to meet commitments and liabilities is £12,352</p> <p>Remaining reserve for non-capital expenditure is £17,957.</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 PC's UK2 annual subscription has been renewed</p> <p>b The Virgin Money savings account has now been closed with the funds transferred to the PC's UTB account</p> <p>c The insurance payout for the bus shelter and planter damage has been received</p> <p>d NYC have paid for the grass cutting done by the PC on it's behalf</p> <p>e The Ipads purchased for loan to the Preschool have been handed over</p>	
8	Motions (<i>in bold italic</i>)	Chair
	<p>a <i>To make payments in accordance with payments schedule</i> (issued under separate cover)</p> <p>b <i>To approve the co-option of Kelly Kitching to the vacant seat on Monk Fryston Parish Council.</i></p> <p>c <i>To agree the end of year Receipts and Payments and Debtors and Creditors statements setting out the PC's financial position at the financial year end.</i> Statements issued under separate cover</p> <p>d <i>To agree the combined Highways and Footpaths ToR.</i> ToR issued under separate cover</p> <p>e <i>To issue North Yorkshire with a Section 56 notice for the maintenance of Main Street in front of St Wilfrid's.</i> Details issued under separate cover</p> <p>f <i>To request support from Keir Mather and Kean Duncan with respect to the section 56 notice.</i> Details issued under separate cover</p>	

Monk Fryston Parish Council

Item		Lead
	<ul style="list-style-type: none"> g <i>To open an instant access savings account with Unity Trust Bank and to deposit into it the funds transferred from the closed Virgin Account.</i> h <i>To delegate to the Clerk the authority to arrange for plants and planting within a budget of £800</i> i <i>To identify any items requiring repair and / or maintenance and to agree appropriate action</i> 	
9	Discussion Items	Chair
	<ul style="list-style-type: none"> a Residents issues received under item 4 b Christmas decorations 2024 c Use of the new Noticeboard 	
10	Updates on actions agreed at previous meetings	
11	Committee and Group updates	Various
	<ul style="list-style-type: none"> a Burial Committee. b Planting Group c Footpaths and Highways Group d Comms Group 	Cllr NS Cllr AS
12	Correspondence	
	<p style="text-align: center;">POST IN</p> <ul style="list-style-type: none"> a None <p style="text-align: center;">POST OUT</p> <ul style="list-style-type: none"> a None 	
13	Items For Next Meeting	All
	<ul style="list-style-type: none"> a Items to be with Clerk before 11th May for next meeting on 21st May 	



Mr P Scott
Monk Fryston Parish Council
24 Moss Row
Wilsden
Bradford
BD15 0EP

Planning Services (Selby Area)
North Yorkshire Council
Civic Centre
Doncaster Road
Selby
North Yorkshire
YO8 9FT
Email: ppu.sel@northyorks.gov.uk
Tel: 0300 1312131
Web: www.northyorks.gov.uk

Our Ref ZG2024/0174/HPA
Date 26 March 2024

Dear Sir/Madam

CONSULTATION ON PLANNING APPLICATION

PROPOSAL: Application of 150 mm thick external wall insulation, render finished, replacement of existing fenestration with triple glazed timber framed windows and doors, installation of air source heat pump, internal remodelling and conversion of part of roofspace to create additional residential accommodation and installation of photovoltaic solar panels

LOCATION: Brecks Farm Cottage, Selby Road, Monk Fryston

The above planning application was received as valid on 19 March 2024.

To view the planning application files electronically, please use the authority's 'PublicAccess' website at <https://public.selby.gov.uk/online-applications/> and follow the instructions given. The information will be available within 24 hours on receipt of this e-mail.

You can submit your comments via Public Access, by email planningcomments.sel@northyorks.gov.uk or by post to the above postal address . If I have not received your written observations by 16 April 2024 it will be assumed you do not have any to make. Please note that any comments you make will be placed on the relevant file, which is available for public inspection in the office and on the internet.

An information leaflet providing examples of the type of material considerations we are able to consider when we determine planning applications can be found at www.northyorks.gov.uk

To find out if the application is to be considered by the Planning Committee you should contact this office and where applications are to be determined by Committee it may be possible to address the meeting. Please contact the Plans Processing Unit on 0300 1312131 for further details regarding the procedure to follow.

I look forward to receiving your comments in due course.

Yours faithfully,

A handwritten signature in black ink, appearing to be a stylized name, possibly "P. Scott".

Observations of Monk Fryston Parish Council

Observation sheet to be returned to District Council on or before 16 April 2024

Our Reference:	ZG2024/0174/HPA	Team:	South Team
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Proposal:	Application of 150 mm thick external wall insulation, render finished, replacement of existing fenestration with triple glazed timber framed windows and doors, installation of air source heat pump, internal remodelling and conversion of part of roofspace to create additional residential accommodation and installation of photovoltaic solar panels
Location:	Brecks Farm Cottage, Selby Road, Monk Fryston

Observations of the Parish/Town Council meeting:



Mr P Scott
Monk Fryston Parish Council
24 Moss Row
Wilsden
Bradford
BD15 0EP

Planning Services (Selby Area)
North Yorkshire Council
Civic Centre
Doncaster Road
Selby
North Yorkshire
YO8 9FT
Email: ppu.sel@northyorks.gov.uk
Tel: 0300 1312131
Web: www.northyorks.gov.uk

Our Ref ZG2023/1348/HPA
Date 25 March 2024

Dear Sir/Madam

CONSULTATION ON PLANNING APPLICATION

PROPOSAL: Air Source Heat Pump (ASHP) installation at this property. 10kW aroTherm plus
 Vaillant Heat Pump located at the back at the property
LOCATION: Glenside Cottage, 2 Lumby Lane, Monk Fryston

The above planning application was received as valid on 18 March 2024.

To view the planning application files electronically, please use the authority's 'PublicAccess' website at <https://public.selby.gov.uk/online-applications/> and follow the instructions given. The information will be available within 24 hours on receipt of this e-mail.

You can submit your comments via Public Access, by email planningcomments.sel@northyorks.gov.uk or by post to the above postal address . If I have not received your written observations by 15 April 2024 it will be assumed you do not have any to make. Please note that any comments you make will be placed on the relevant file, which is available for public inspection in the office and on the internet.

An information leaflet providing examples of the type of material considerations we are able to consider when we determine planning applications can be found at www.northyorks.gov.uk

To find out if the application is to be considered by the Planning Committee you should contact this office and where applications are to be determined by Committee it may be possible to address the meeting. Please contact the Plans Processing Unit on 0300 1312131 for further details regarding the procedure to follow.

I look forward to receiving your comments in due course.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Trevor Watson".

Trevor Watson
Assistant Director - Planning

Observations of Monk Fryston Parish Council

Observation sheet to be returned to District Council on or before 15 April 2024

Our Reference:	ZG2023/1348/HPA	Team:	South Team
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Proposal:	Air Source Heat Pump (ASHP) installation at this property. 10kW aroTherm plus Vaillant Heat Pump located at the back at the property
Location:	Glenside Cottage, 2 Lumby Lane, Monk Fryston

Observations of the Parish/Town Council meeting:

SCHEDULE OF PAYMENTS		Meeting	Tuesday, 16 April 2024	
Pay Ref	Amount	Item	Payee	Invoice No
1	£20.00	Room Hire	MF and H Community Association	24061
2	£344.00	Membership subscription	YLCA	INV 2054
3	£142.00	Printing of Newsletter	Tigerprint	95728
4	£205.00	Grass cutting etc	S G Parkin Landscapes	3230, 3230A
Total	£711.00			

**Receipts and Payment Account
For the year ended on 31 March, 2024**

RECEIPTS	2022.23	2023.24
Current Account		
Balance at 01/04/23	11,151.23	21661.38
Precept	20,604.00	20604.00
VAT Reclaim	5,791.06	893.18
NYCC for grass cutting	291.07	311.85
Refund of overpaid Clerk's salary	580.00	0.00
SDC CiL payment	5,127.55	0.00
Re-imburement from Burial Committee		1331.06
Aviva insurance payouts (x2)		4801.79
Credit Note against uncashed cheques		130.00
Yorkshire Bank Savings Account		
Balance at 01/04/23	19194.13	19213.33
Withdrawals	0.00	0.00
Interest	19.20	19.22
Skipton BS Account		
Balance at 01/04/23	73723.75	74239.82
Interest	516.07	519.68
Nationwide BS Account		
Balance at 01/04/23	70918.04	72107.90
Interest	1189.86	2530.40
MF, H & BS Joint Burial Committee		
Balance at 01/04/23	4902.44	N/A
Receipts	2535.18	N/A
TOTAL	216543.58	218363.61

Signed as properly presenting
the PC's receipts and payments

Date

Clerk & RFO

PAYMENTS
Current Account
Asset Purchase
Audit
Burial Committee Precept
Bank charges
Christmas Decorations
Clerks Salary
Council News Letter
Electricity
Grounds Maintenance
Insurance
Landscaping and Planting
Replacement, Repairs and Maintenance
Room Hire
Office Running Expenses
S137 Grants and Payments
Statutory Grants
Street Lighting
Subscriptions
Training
Jubilee event
JBC clerks salary
Reimbursement for uncashed cheques
Wheelbarrow purchase
Clerks Salary overpayment
Legal fees for Triangle lease
Balance at 31/03/24
Yorkshire Bank Savings Account
Closing Balance at 31/03/24
Skipton BS Account
Closing Balance at 31/03/24
Nationwide BS Account
Closing Balance at 31/03/24
MF, H & BS Joint Burial Committee
Payments
Closing Balance at 31/03/24

DEBTORS AND CREDITORS 31st MARCH 2024

Debtors			
	2022.23		2023.24
UNITY TRUST BANK CURRENT ACCOUNT			
Current account statement 31 March 2024	£21,791.38		£24,396.99
YORKSHIRE BANK SAVINGS ACCOUNT			
Savings account statement 31 March 2024	£19,213.33		£19,232.55
SKIPTON BUILDING SOCIETY ACCOUNT			
Savings account statement 17 September 2023	£74,239.82		£74,759.50
NATIONWIDE BUILDING SOCIETY ACCOUNT			
Savings account statement 31 March 2024	£72,107.90		£74,638.30
DEBTORS			
Income -vat	£893.18		£1,951.38
Hillam PC path clearing refund			
Joint Burial Committee	£1,331.06		£801.62
TOTAL	£2,224.24	£2,224.24	£2,753.00
JOINT BURIAL COMMITTEE	N/A		N/A
TOTAL	£189,576.67		£195,780.34
NET VALUES (DEBTORS LESS CREDITORS)	£182,202.77		£180,675.05

Creditors and Commitments	
	2023.24
Unbilled electricity to April 2024	£1,000.00
Notice board works	£2,725.00
Notice board final balance	£857.50
Railings decoration	£1,460.00
Traffic count for 20mph zone	£150.00
Power to lampposts	£2,000.00
Shed base	£500.00
Shed floor	£100.00
Joint Burial Committee precept	£1,584.00
Replacement bus shelter and planter	£4,041.79
5 new planters	£545.00
Printing of newsletter	£142.00
TOTAL	£15,105.29

COMMITMENTS (RESOLUTIONS etc)	
HISTORICAL	
village plan	200
girl guides grant	191.25
bench floor improvements	100
Total	491.25
THIS FINANCIAL YEAR	
mill close light repair	188.23
electrical test	543.51
litter bin	350
cleaning of bench	20
CA grass cutting grant	387.5
repair to sign	20
CA statutory grant	1500
spring planting	250
planning consult. Shelters	50
grit bin mill close	
lighting	4000
st wilfrids floodlighting	
Total	7309.24

CREDITOR (ACTUAL)	
Unbilled room hire	£37.50
initial registration of	154
Total	£191.50
Total liabilities	£7,694.99
Total creditors	2,471.37
Commitments	5,223.62
Debtor	Value
vat	2527.94

Receipts	27572	35126
Payments	33240	33602
Liquid Assets	187687	195409
Debtors	3682	3773
Fixed Assets	56805	62141
	248174	261323
Liabilities	9480	

Monk Fryston Parish Council Document	Page 1 of 3
Monk Fryston Highways and Footpaths DRAFT	Rev: 1.0
Prepared and Issued by: Bill Holmes	Issued:
Approved at Council Meeting Dated: Minute reference	

Document Distribution

Copy	Distribution
1	All Councillors
2	Clerk
3	
4	
5	

Document Change History

Revision	Date	Author	Verified	Section	Change Description

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1.0 Introduction

Highways and footpaths have long been a concern to the residents of Monk Fryston. In particular the speed and number of vehicles using the road, combined with the absence of a safe designated crossing place has severely affected residents' quality of life. The detrimental effect of the numerous HGV both on welfare and infrastructure also raises concern. Traffic flow and parking issues on Water Lane have also raised questions as to pedestrian safety, particularly outside the village primary school.

Speed issues have been addressed in the past with a survey specifically commissioned by the Parish Council and speeds are currently being monitored by the Vehicle Activated Signs installed by the Parish Council following grant funding from North Yorkshire Police and Fire Commissioner. Police surveillance vehicles also operate in the village Previous surveys assessing the need and positioning of a pedestrian survey have had little success.

2.0 Responsibilities

The group will follow the rules and regulations of the Parish Council this includes standing orders and financial regulations and code of conduct

2.1 Footpaths

The group will be responsible for general oversight of all known PROW in the Parish.

For any new paths not on the 1949 definitive Map record the group shall apply for a Definitive Map Modification Order (DMMO) to support inclusion of the same using NYCC supporting documentation.

The group will as far as is possible, ensure that NYCC realises all its obligations in respect of PROW and brings any failure to do so to the attention of Council.

If required the group will liaise with the Footpaths @ NYCC to ensure compliance to national guidelines.

2.2 Public Right of Ways

The group will inspect all sign posting and public information notices.

The group will identify responsibility for maintenance and upkeep of PROW within the Parish, ensuring the Parish Council upholds all obligations for the same.

2.3 Definitive Maps

The group will, within its powers, conform to the The Deregulation Act of 2015 to ensure the accuracy of all footpaths paths identified on Definitive Map Record within the Parish.

The group will, in carrying out its work, comply with the Wildlife and Countryside regulations 1993 (Definitive Maps and Statements, Schedule 7)

2.4 Highways

To address the concerns over road safety and produce an objective action plan
To review all possible means of collating and producing effective evidence to support that purpose.
To use every method within their means to collect resident support from the village in relation to any significant highways issues .
To address, in consultation with other bodies, appropriate measures to improve road safety.
To consider securing other grants to support applicable projects
To ensure that any implemented project is sustainable, and that account of any ongoing maintenance costs are considered within the annual precept.
To produce, as required, objective and comprehensive reports, with supporting evidence, and present to relevant authorities at local and nation level.

3.0 Meetings

Membership will be of three Parish Councillors with a minimum of 2 in attendance at any meeting.

Meeting will be as and when necessary.
Meeting note takers will be decided at each meeting.

4.0 Accountability:

The Group is accountable to Monk Fryston Parish Council and is responsible for reporting back on activities of the group.
Within an agreed budget the group is authorised to make small purchases, through the clerk, for administration purposes such as room hire. Expenditure over and above this is subject to specific resolution by the Main Parish Council
The Main Parish Council will approve/reject any documentation submitted by the group.
If approved the group will be responsible through the clerk for promotion of documentation agreed.

5.0 Review:

The group will review its activities annually. This will include review of these terms of reference.

Highways Act 1980, Section 56 Notice

Proceedings for an Order to Repair a Highway

To:

Mr Barry Khan
Assistant Chief Executive
Executive and Legal Democratic Services
North Yorkshire Council
County Hall
Northallerton
DL7 8AD

From: Monk Fryston Parish Council

Notice to repair a highway maintainable at public expense under section 56 of the Highways Act 1980

1. The highway which runs in front of St Wilfrid's Church Monk Fryston in an East West direction (see Map 1 in appendices) is maintainable by the highway authority at the public expense and is currently in a poor state of repair.
2. You are now required under section 56 of the Highways Act 1980 to state:
 - a. whether you admit that the way in question is a highway; and
 - b. whether you admit that you are liable to maintain it.
3. If you fail to admit within one month of the date of this Notice, both that the way in question is a highway and that you are liable to maintain it, we intend to apply to the Crown Court for an Order requiring you to put the highway into proper repair.
4. We have provided supporting documents scheduled in the Appendices as firm and irrefutable evidence that the said highway is maintainable at public expense.

Signed by:

On behalf of Monk Fryston Parish Council

Dated:

Cc

Mr Keir Mather Member of Parliament Selby and Ainsty

Barrie Mason Highways and Transportation

Mr Kean Duncan Executive member for Highways and Transportation

Appendices

		Credits
1	General statement of Facts	
2	Map identifying extent of Highway in question	
3	Flow chart highways maintainable at public expense	Matthew White St Johns chambers
4	OS Map 1850 (extract)	
5	Inclosure Map 1793 (extract)	
6	OS Map 1891 (Extract)	
7	Section 13 LGA 1894	
8	Highways act 1835	
9	Paper on Highways maintainable at public expense	Matthw White St Johns chambers

Appendix 1 General Statement of Facts

1. Prior to the 1835 Highways Act the width of Main street covered the area from the boundary wall of Monk Fryston Hall to the Boundary wall of the Church Grave Yard of St Wilfrid's church. This can be clearly seen on the OS map of 1850 and on the preceded inclosure map of 1793. The road in this position is in generally the same state at those times. It has clearly been demonstrated that the said highway was in place at the time of the 1835 Highways Act.
2. Between the maps of 1850 and 1891 the line of the road was altered to give the general configuration that we see today. Main street was effectively split into 2 highways which is clearly shown on the 1891 map. This reconfiguration doesn't remove the obligation for each section to be maintained at public expense.
3. The highways act of 1835 and subsequent acts specifically specify that if a highway was in place prior to the act then in is maintainable at public expense. It is only highways created after the 1835 act where there is a requirement for adoption. As the highway in question was in place prior to 1835 then there is no requirement for adoption.

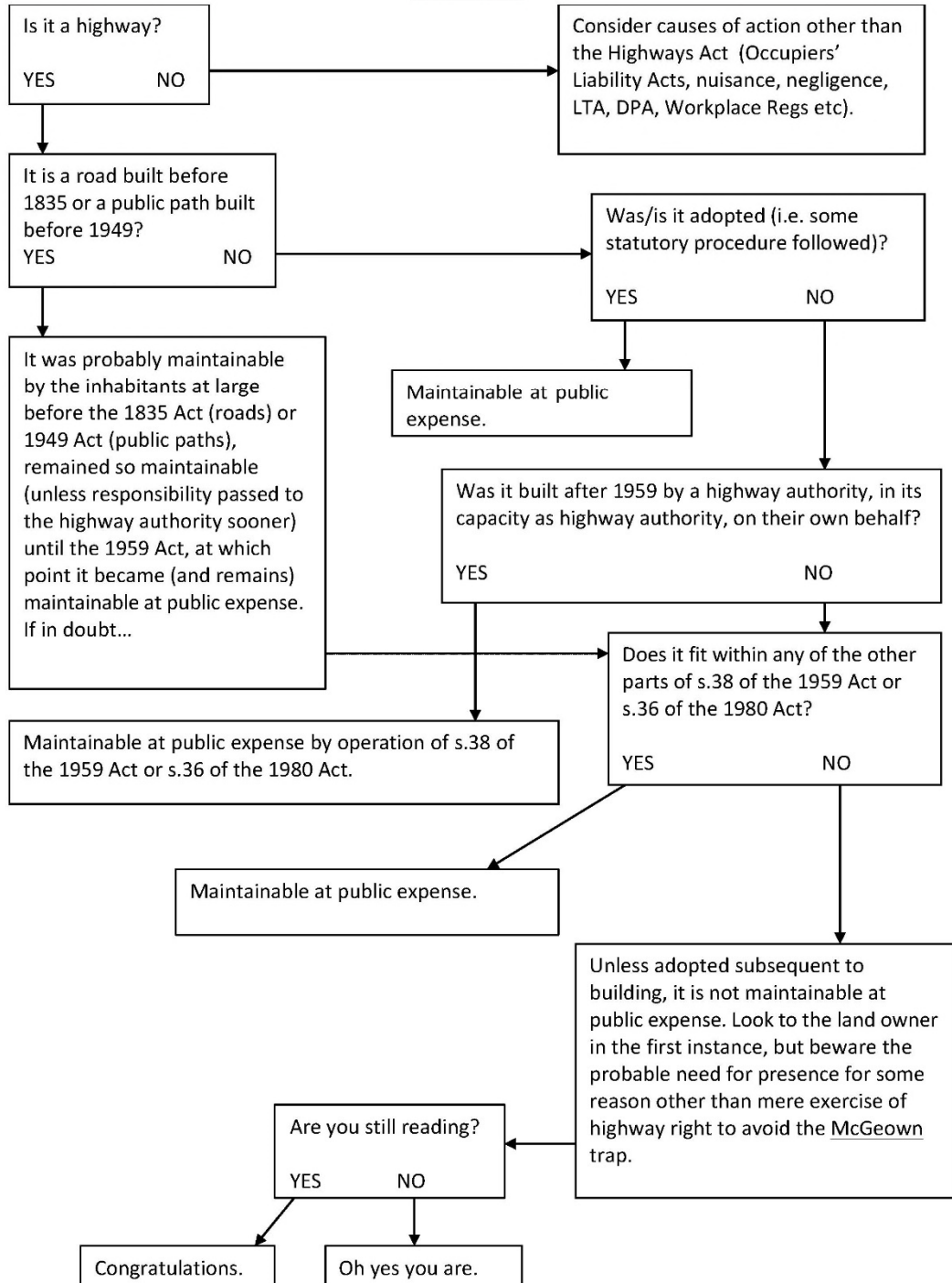
Appendix 2 map 1 area of highway to be maintained shown in black



Appendix 3 flow chart

Ways, Highways & Highways Maintainable at Public Expense: Avoiding the Trips

Flow chart



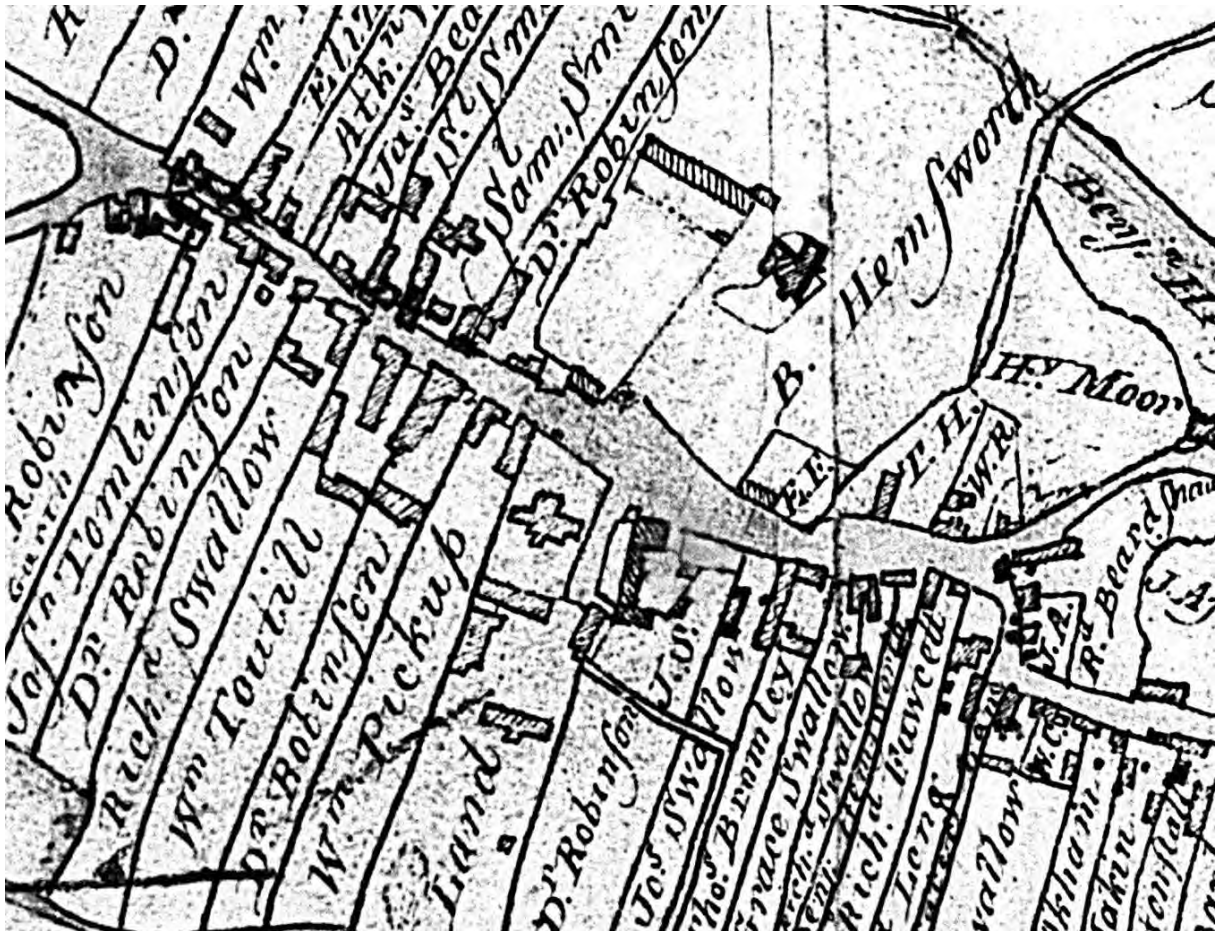
Appendix 4

OS Map 1850 (extract)



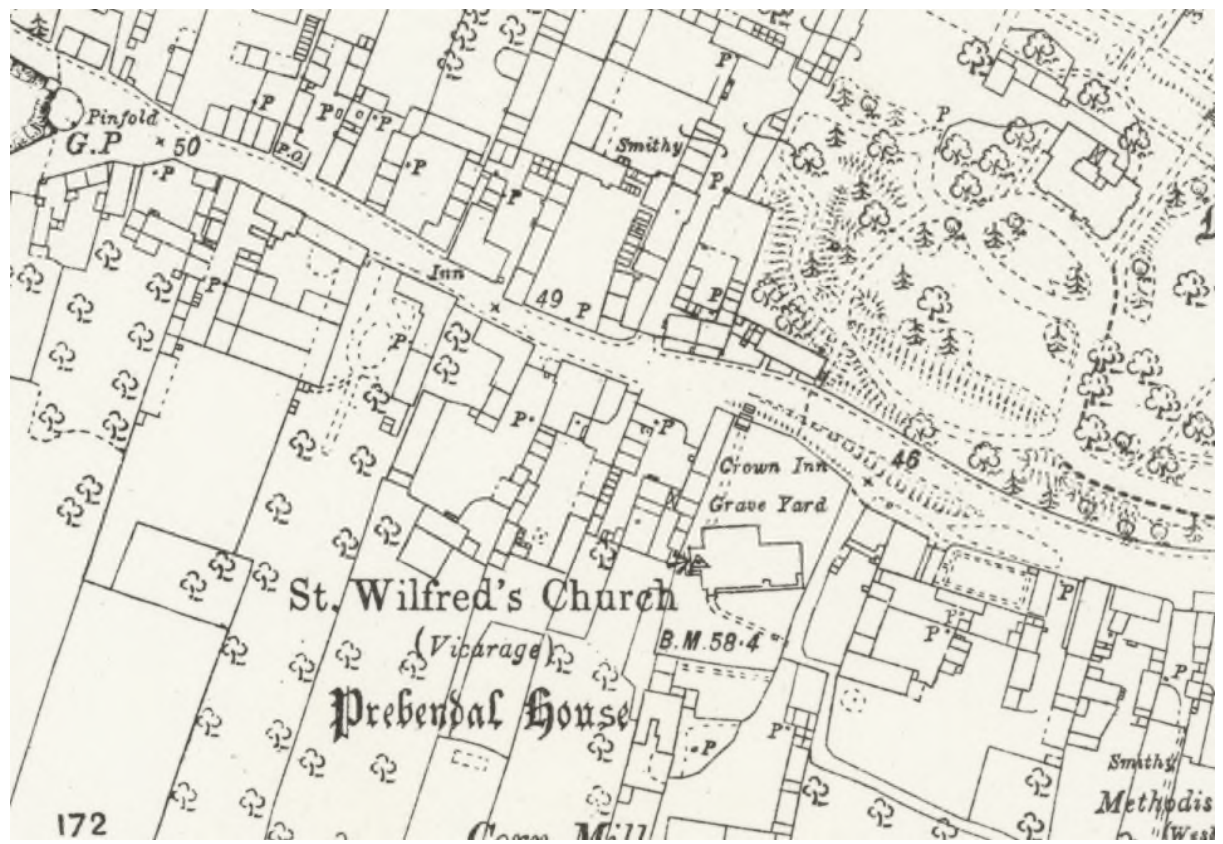
Appendix 5

Enclosure map 1793 (extract)



Appendix 6

OS Map 1891 (extract)



Appendix 7

Section 13 LGA 1894

'13.—(1.) The consent of the parish council and of the district council shall be required for the stopping, in whole or in part, or diversion, of a public right of way within a rural parish, and the consent of the parish council shall be required for a declaration that a highway in a rural parish is unnecessary for public use and not repairable at the public expense, and the parish council shall give public notice of a resolution to give any such consent, and the resolution shall not operate—

(a) unless it is confirmed by the parish council at a meeting held not less than two months after the public notice is given; nor

(b) if a parish meeting held before the confirmation resolve that the consent ought not to be given.

(2.) A parish council may, subject to the provisions of this Act with respect to restrictions on expenditure, undertake the repair and maintenance of all or any of the public footpaths within their parish, not being footpaths at the side of a public road, but this power shall not nor shall the exercise thereof relieve any other authority or person from any liability with respect to such repair or maintenance. '

Supplementary note

This section determines the process if a highway is no longer required. No such agreement has been made for the highway in question.