



## Stainland and District Parish Council 28th Ordinary Meeting MINUTES

17<sup>th</sup> December 2020

**Councillors Present (by remote viewing): Councillor Bellenger Chaired the Meeting). In attendance were Councillor Holdsworth, Councillor Fieldhouse, Councillor Liddell, Councillor Mullany, Councillor Weeks, Councillor James**

In attendance Mr Alex Lynness-Brown and Sarah Richardson and Cllr Lynn from Calderdale Council and **Parish** Clerk.

*Lanette Pashley* **The Clerk**

	Item
20.28.01	<b>Resolved to</b> note there were no apologies or lateness.
20.28.02	<p><b>Resolved to accept the minutes</b> of the Meeting held on Thursday 19<sup>th</sup> November 2020</p> <p><b>Cllr Liddell commented on meeting point: -</b></p> <ul style="list-style-type: none"> <li>• 20.27.12 Requesting the Lone Worker and Risk Assessment Policy be circulated with the changes agreed at the General meeting held on the 19<sup>th</sup> November 2020.</li> </ul>
20.28.03	<b>Resolved to note the following Cllr</b> declarations of interest. Cllr Bellenger declared that as a member of CMBC Planning Cttee he did not feel comfortable in commenting <b>or</b> making decisions on the planning applications at Parish Level.
20.28.04	<p><b>Public Participation. An opportunity for members of the public to address the Parish Council on any issues of concern within the Parish.</b></p> <ul style="list-style-type: none"> <li>• The state of the fence on the footpath at Fall Spring Gardens was raised. It was noted the fence in question was not CMBC responsibilities it was owned by a private resident. The Environmental Warden is scheduled to carry out some gardening work at Fall Spring Gardens and the residents will be notified before the work starts.</li> <li>• The public waste bin near Fall Spring Gardens does not appear to be emptied and is always full of Dog waste. This needs to be reported to CMBC via their website and sending a picture will help.</li> <li>• An incident at the Memorial Park was raise where Police had been involved, Cllr Bellenger agreed to contact the Police first to establish the facts before raising on social media.</li> </ul>
20.28.05	<p>At this point Sarah Richardson, Assistant Director of Customer Services and Cllr Jenny Lynn from Calderdale Council joined the meeting to provide information on CMBC Cabinet Report dated 9<sup>th</sup> November 2020 with regards to Stainland Library.</p> <p>Resolved to note: -</p> <p>Cllr Lynn explained the current situation of some of the remote libraries.</p> <ul style="list-style-type: none"> <li>• CMBC have been forced to make cuts within the Library services. In order for a remote Library building to be used CMBC are looking at Parish Council's to take on the running of the</li> </ul>

building and help the local community utilise the building more. It is hoped to provide the Parish Council via CMBC's website an information pack explaining how this can be done and will help with budget setting.

Sarah Richardson explained this could be done via a Community Asset transfer where CMBC have identified the building cannot be used by the Council. CMBC are looking to see if the community can take on the building and provide better community use.

CMBC are currently looking at the previous use of the building i.e., the number of people who use the Library and the cost of running the Library.

The procedure for the Parish Council to take on the Library would be as follows

- The Parish Council would be given a period of time to prepare a basic Business Plan, containing ideas for the use of the building which should be submitted by 31<sup>st</sup> March 2021. This would allow the Parish Council time to consult with residents.
- CMBC will consider the Business Plan which will go to the next phase where a more detailed Business Plan will be required.

There are no specific time scales, however CMBC are keen for the Community to take on the Library building.

CMBC plan to post an information pack on their web site by the end of this year and will be emailing all Elected members and Parish Clerks.

Cllr James asked if the Parish Council can be provided with the running costs of the building and how CMBC have arrived at a cost of £75k over a 5-year period for the repairs to the building.

SR agreed to provide the Parish Council with 3 years of running costs which would include the staffing cost of operating the Library. Should the Community decide to retain the running of the Library CMBC could provide this service via a Service Level Agreement (SLA) charge. If the Parish Council take on the Library building it would have full responsibility for running the building which would include building insurance, fire alarm test, electrical testing etc.

No community groups within CMBC have taken on a library building, however there is a Community Group in Bradford who have taken on library buildings.

Cllr Liddell pointed out the £75K repairs over a 5-year period would approximately mean the Parish Council would have to commit on a yearly basis £15k a year out of each year's precept.

Cllr Lynn agreed this is a high amount out of the Parish yearly precept and agreed to look at this in more detail. There may be an option to stage the transfer process but this will have to be looked at by CMBC Legal Department.

Cllr Holdsworth asked if some of the savings made from closing 8 libraries across CMBC would be given to the Communities who decided to take on the running of library buildings.

Cllr Lynn explained that there would be no funds from the closure of libraries, should a library building be sold there may be a strong case for capital receipts to be put into community asset transfer options.

Cllr Weeks asked where funds may be obtained to support the running cost of the building.

SR- there are a number of avenues where funding can be obtaining such as:

- Charity funding
- Arts Council England
- Building England
- Government Grants
- Help from volunteers to run the Library.

Cllr Liddell asked if the Parish Council would be able to continue with providing the community with a library service.

	<p>SR – CMBC would be able to provide the Parish Council with a book lending services and staffing services. There would be a charge for this service via a Service Level Agreement (SLA) however this would have to be negotiated with CMBC.</p> <p>Cllr James asked should we decide to go ahead with the asset transfer option, if the PC want to make any changes to the building would there be any planning permission issues.</p> <p>Cllr Lynn was unsure about any potential planning permission requirements but would check with CMBC and reply back via the Clerk.</p> <p>There are potential limitations to the building and its uses.</p>
<b>20.28.06</b>	<p><b>Resolved to note</b> Cllr Liddell apologised for circulating the Business Plan earlier today.</p> <p><b>Resolved to agree</b> the Business Plan will be agreed at the January General meeting once all Cllrs have had time to read the final version and make any comments.</p> <p><b>All present in favour.</b></p>
<b>20.28.07</b>	<p><b>Resolved to agree</b> the Draft Budget for 2021/22 (as attached). <b>All in present in favour</b></p> <p>Cllr Liddell asked if the Event &amp; Communication budget of £2000 was adequate.</p> <p>Cllr Holdsworth pointed out this was a rough estimate and was depended on how long Covid would last. At this moment in time, it is difficult to plan ahead.</p> <p>Communication with residents with regards to the Library building can be conducted via the PC website, Go Local and Social media.</p>
<b>20.28.08</b>	<p><b>Resolved to agree</b> the payment of £480 plus VAT to complete an Ecological Estates Survey on Shaw Park Pond. <b>All in present in favour.</b></p> <p>Cllr Fieldhouse explained the company chosen were used by CMBC and were found to have a very practical approach to the wildlife living in the pond.</p> <p>Cllr James asked if the local schools could be involved with regards the wildlife living in the pond once the project is completed.</p>
<b>20.28.09</b>	<p><b>Resolved to agree to</b> the payment of equipment for the Environmental Warden as follows: -</p> <ul style="list-style-type: none"> <li>• 10 traffic cones, 2 x Traffic signs and 500m Barrier tape at a cost of £122.87 (Inc VAT).</li> <li>• Broom (£10), Garden waste collection bags and Litter waste Collection bags</li> <li>• IOSH and Manual Handling Training of £108.30 (plus VAT).</li> <li>• Accident Book and First Aid Kit for £26.99.</li> </ul> <p><b>All in present in favour.</b></p> <p>Cllr Weeks has completed a risk assessment on a number of jobs the Warden will be starting on and before working on the road side will need to completed in respect of Chapter 8 training.</p> <p>Clerk agreed to contact CMBC Highways Department to ensure the uses of cones on the road side is acceptable.</p>
<b>20.28.10</b>	<p><b>Resolved to agree</b> a Petty Cash increase of £30 to cover Environment Committee consumables expenditure for minor amounts such as litter waste bags for the Environmental Warden.</p> <p><b>All in present in favour.</b></p>
<b>20.28.11</b>	<p><b>Resolved to agree to</b> providing the Environmental Warden with a mobile phone for Health &amp; safety reasons. At an approximate cost of a smartphone £49.95 and sim card at £5.00 per month.</p> <p><b>All in present in favour.</b></p>

<p><b>20.28.12</b></p>	<p><b>Resolved to note</b> Cllr Weeks is writing up a final report detailing the information obtained from CMBC on the running of Drury Lane Allotments and how they can be managed.</p> <p>The PC are now members of the Allotment Association and will provide a good source of support.</p> <p>A letter has been drafted to send to the current Allotment holders asking for their views.</p> <p>Cllr Fieldhouse explained the Drury Lane Allotments are statutory allotments.</p> <p><b>All present in favour of purchasing the Allotments.</b></p>
<p><b>20.28.13</b></p>	<p><b>Resolved to note</b> Cllr Liddell circulated the Terms of Reference of the Planning Committee.</p> <p>Cllr Bellenger explained CMBC Planning Department are going through a lot of staffing changes at the moment and a new Enforcement Officer has just been appointed.</p> <p>Cllr James recommended the Planning Committee consist of 3 people who would review applications as and when the PC were notified as the current problem is the comment period is only 21 days so some comment period deadlines could be missed.</p> <p>Cllr Liddell agreed the current method does not meet the objective and comments on planning issues should include CMBC wider plans as a whole.</p> <p>Cllr Mullany agreed the scope should be widened to justify regular meetings to cover enforcement issues.</p> <p><b>Resolved to agree</b> to agree a concept at the next General meeting. <b>All present in favour</b></p>
<p><b>20.28.14</b></p>	<p><b>Resolved to agree to approve the</b> Clerk's annual appraisal and preparation of an updated Contract of Employment (Increase in weekly hours from 10 hours to 15 hours per week).</p> <p>Cllr Holdsworth pointed out this a probationary review and sent her apologies for not being able to attend the meeting tomorrow.</p> <p><b>All present in favour</b></p>
<p><b>20.28.15</b></p>	<p><b>Resolved to note there were no reports from Chairman, Committees and Councillors:</b></p> <p><b>Resolved to note report from the Clerk:</b></p> <ul style="list-style-type: none"> <li>• The External Audit (AGAR) has now been completed for Financial Year 2019/20 and a signed copy of the Notice of Conclusion of Audit has been posted on the website and village notice board.</li> <li>• A public notice has been posted on the website, Go Local and on notices boards throughout the Parish advertising the co-opted position. With a closing date of the 2<sup>nd</sup> January 2021.</li> <li>• All communications with Pam Smithers at CMBC should go via the Clerk.</li> </ul>
<p><b>20.28.16</b></p>	<p><b>Resolved to note</b> the following key dates: -</p> <p>5<sup>th</sup> January 2021 – Events and Communications Meeting  7<sup>th</sup> January 2021 – Environmental Meeting  21<sup>st</sup> January 2021- General Meeting  14<sup>th</sup> January 2021– Policy &amp; Finance</p>

20.28.17	<p><b>Resolved to note</b> other business raised by councillors.</p> <p><b>Cllr Fieldhouse</b> agreed to contact the local WI regarding potential volunteer members who may be interested in helping to run the library.</p> <p>The PC need to obtain the level of interest with regards to the PC taking over the library interest and explore other interested groups who may be interested in using the library in the future.</p> <p>Cllr Bellenger agreed to test the potential level of interest via Face book.</p>																																			
20.28.18	<p><b>Resolved to note the</b> report from Ward Councillors.</p> <p>Cllr Holdsworth asked residents not to contact Ward Councillor Greenwood for a few months and address all issues to Cllr Bellenger or Cllr Holdsworth.</p>																																			
20.28.19	<p><b>Resolved to note</b> the listed payments made by committees during November 2020. All present in favour.</p> <table border="1" data-bbox="341 658 1525 1368"> <thead> <tr> <th>RPC Ref</th> <th>Supplier/Commodity</th> <th>Net Amount</th> <th>VAT</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>20/21-044</td> <td>Training - Allotments Webinar 28/09/2020</td> <td>£15.00</td> <td></td> <td>£15.00</td> </tr> <tr> <td>20/21-045</td> <td>Clerk Salary JP 21/09/2020 to 25/10/2020</td> <td>£871.76</td> <td></td> <td>£871.76</td> </tr> <tr> <td>20/21-046</td> <td>Go Local Inv 0044528</td> <td>£108.00</td> <td>£18.00</td> <td>£90.00</td> </tr> <tr> <td>20/21-047</td> <td>YLCA New Clerks Training Course 18/09/2020</td> <td>£48.00</td> <td></td> <td>£48.00</td> </tr> <tr> <td>20/21-048</td> <td>Vodafone Mobile £11 +£2.50 Business A/C Set up fee</td> <td>£13.50</td> <td>£2.26</td> <td>£11.24</td> </tr> <tr> <td></td> <td><b>Total</b></td> <td>£1,056.26</td> <td>£20.26</td> <td>£1,036.00</td> </tr> </tbody> </table>	RPC Ref	Supplier/Commodity	Net Amount	VAT	Total	20/21-044	Training - Allotments Webinar 28/09/2020	£15.00		£15.00	20/21-045	Clerk Salary JP 21/09/2020 to 25/10/2020	£871.76		£871.76	20/21-046	Go Local Inv 0044528	£108.00	£18.00	£90.00	20/21-047	YLCA New Clerks Training Course 18/09/2020	£48.00		£48.00	20/21-048	Vodafone Mobile £11 +£2.50 Business A/C Set up fee	£13.50	£2.26	£11.24		<b>Total</b>	£1,056.26	£20.26	£1,036.00
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20.28.20	<p><b>Resolved to note the attached updated</b> Cash Book/Bank Reconciliation and Budget update as at 31<sup>th</sup> November 2020. All present in favour</p>																																			
20.28.21	<p><b>Resolve to note</b> there was no correspondence receive;</p>																																			
20.28.22	<p><b>Resolved to agree to Cllr Mullany Planning comments as follows: -</b></p> <p><a href="#">Two storey rear extension to listed barn (Listed Building Consent) - Holywell Green Barn Northgate Holywell Green Elland Calderdale HX4 9AQ</a> Ref. No: 20/01172/LBC   Received date: Fri 02 Oct 2020   Status: Pending Consideration   Case Type: Planning Application</p> <p>The Heritage Statement fails to provide any assessment of the barn's significance as a heritage asset or its relationship with its setting. It is clear that it has not informed potential designs for an extension to a listed building as should be the case and is not fit for purpose.</p> <p>The proposed rear extension would be visible from adjoining development at Oakes Gardens, though not from the main Stainland Road through Holywell Green. The proposed extension is considered inappropriate in its scale and design which dominates the existing heritage asset and significantly alters its existing form when viewed from properties in Oakes Gardens to the north and west,</p>																																			

contrary to RCUDP Policy BE14

Planning permission was granted in 2019 for a dwelling located in Oakes Gardens which according to the officer report on that application was located 13m to the rear of the subject property. As such the window arrangement and increased height of the proposed extension would be likely to contravene standards set out in Annex A to policy BE2 Privacy, Daylighting and Amenity space of the RCUDP.

Trees provide screening between the proposed extension and the permitted house in Oakes Gardens. These trees adjoining the rear of the subject property (located within Oakes Gardens) are protected by TPO. Only one tree has been identified on the existing site layout but a further tree is closer and is also likely to be affected by the proposals. No evidence has been submitted to suggest the impact on protected trees has been considered. An arboricultural survey/method statement prepared by qualified consultant should be supplied to ensure all protected trees are retained and are not damaged by the proposed development. It is also a concern that if proposals are permitted the proximity of the extension to the protected trees could lead to pressure for the trees' removal due to shading.

The development site is within the Bat Alert Area. An assessment of the need for a bat survey should be undertaken and checked by an appropriate CMBC officer.

**[Sub-division of existing dwelling to form 2no. dwellings including external alterations - White Rock House Farm Dean House Lane Stainland Elland Calderdale HX4 9LG](#)** Ref. No:

20/01111/FUL | Received date: Tue 22 Sep 2020 | Status: Pending

Concerns currently expressed by CMBC Highways are supported regarding:

- the unsustainable location of the proposed development;
- the unsuitable nature of the Dean House Lane as an access route for additional traffic due to its narrowness, unmade condition, tight bends, steep gradient and lack of passing places for vehicles or separate path for pedestrians
- evidence that proposed parking provision could meet necessary standards

Dean House Lane, is a popular bridleway/recreational route appreciated for its upland character and the excellent views it affords of surrounding countryside which forms part of a designated Special Landscape Area (SLA). Additional development relying on motor vehicle access will increase conflict with bridleway users and detract from this valuable amenity.

The area is also ecologically sensitive and the proposals will increase disturbance to valuable wildlife habitat adjacent to Dean House Lane (identified in emerging Local Plan) and to nearby designated Local Wildlife Site Red Lane Dike Grasslands

Should measures be proposed which aim to address the concerns of Highways for instance the introduction of passing places, widening and/or extensive hard surfacing of the track these would not be supported. However, if implemented landscaping work should include compensatory measures with condition imposed in order to ensure that there is a net gain for biodiversity.

Concerns expressed by neighbours regarding potential pollution and animal welfare implications of the proposed foul drainage system are also supported. Details of the system for foul drainage have not been clearly set out in the drainage assessment and proposed plans, and evidence of suitable ground conditions has not been supplied. It is noted that the foul drainage assessment suggests that a soakaway system is to be employed. This appears to conflict with Environment Agency guidance for the use of septic tanks which prohibits the use of soakaways for foul drainage:

*You cannot use a soakaway (designed for draining rainwater), well or borehole for discharging effluent to ground. Instead, you must either upgrade to a drainage field or apply for a permit so that the Environment Agency can assess the risk of using this sort of system in your location. (From Rules for existing and new discharges. <https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-the-ground>)*

	<p><a href="#"><u>Variation of condition 1 (approved plans) of 19/01156/FUL to enable a Minor Material Amendment to the layout (increase space between plots 1 to 4) - 1 Jagger Green Hall Jagger Green Lane Holywell Green Elland Calderdale HX4 9DE</u></a> Ref. No: 20/00271/VAR   Received date: Mon 09 Mar 2020   Status: Permit   Case Type: Planning Application Planning Consideration   Case Type: Planning Application</p> <p>This variation has already been permitted. No comments.</p> <p><b>All present in favour</b></p>
<p><b>20.28.23</b></p>	<p><b>Resolved to agree Agenda items for the next meeting</b></p> <ul style="list-style-type: none"> <li>• Consider writing to a number of organisations to see if they would be interested in using the library in the future.</li> <li>• Project schedule detailed capital projects to be considered.</li> </ul>
<p><b>20.28.24</b></p>	<p><b>Resolved to note the Date of the Next Meeting</b> 21<sup>st</sup> January 2021- General Meeting – Moved to the 28<sup>th</sup> January 2021</p>

**Meeting Finished 21.27Hours**