

The October monthly meeting of  
Yarm Town Council was held at  
**The Fellowship Hall (side entrance)**  
**West Street, Yarm TS15 9BT.**

**Date: Tuesday 11th October 2022**

**Time: 7pm**

Members of the public are invited to  
attend the meeting

COVID Guidance at the time applies.

**Juliet Johnson, Proper Officer to YTC**



Yarm Town Council  
Town Hall  
High Street  
Yarm  
TS15 9AH

In accordance with the Openness of Local Government Bodies Regulations 2014, photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted; the Chair will notify those present of this at the start of the meeting and ask whether they agree to be filmed, recorded or photographed

## YARM TOWN COUNCIL MINUTES

### PRESENT:

Cllr John Coulson (Chair)

Cllr Peter Monck

Cllr Alan Moffit (Vice Chair)

Cllr Patrick Morton

Cllr Philip Addison

Cllr Marjorie Simpson (left the meeting at 20.50pm)

Cllr Ian Carter

Cllr Pam Smailes

Cllr Chris Neil

Cllr Barbara Wegg

Town Clerk / Proper Officer - Juliet Johnson

Cllr Bob Wegg

3 members of the public were present

**1.0 Notice of Meeting** - public notice of this meeting has been given in accordance with schedule 12, paragraph 10 (2) of the LGA 1972.

**2.0 To appoint a Chairman in the absence of the Chair and/or Vice Chair** - N/A

**3.0 Apologies for Absence**

**3.1** Apologies were received from Ward Councillors Sherris and Fagan.

**4.0 Code of Conduct | Declaration of Interest | Dispensation**

With the exception of any item identified above as containing exempt or confidential information under the Local Government Act 1972 – section 100A(4), members of the public (other than those prohibited from doing so) are entitled to attend this meeting and/or have access to the agenda

- a) To record declarations of interest from members of any item to be discussed

**Cllr Monck** declared a non-prejudicial interest in all matters relating to St Mary Magdalene Church and Churchyard.

- b) To consider, vote upon and record any requests for dispensation

## 5.0 Confirmation of Minutes

**To approve the minutes of the previous meetings:**

**5.1 Weigh and Tolls Committee** held on Tuesday 13th September 2022 -Cllr Bob Wegg requested a correction at 8.1.3, suggesting that Cllr Moffitt was the proposer for this item and not Cllr Addison; the Clerk agreed to change this if found to be correct in the recording; **(Cllr Addison was the proposer so the Clerk has not made this suggested correction).**

Weigh & Tolls minutes proposed for approval and their signature by the Chair of the meeting

**PROPOSED: Cllr Addison                      SECONDED: Cllr Moffitt                      AGREED**

**5.2 Yarm Town Council** held on Tuesday 13th September 2022 .

An amendment was requested re. 9.4.1 to the effect that Cllr Barbara Wegg did not swear on the bible. This amendment was agreed and made. Proposal to approve the YTC minutes of 13th September 2022 and approve their signature by the Chair of the meeting.

**PROPOSED: Cllr Moffitt                      SECONDED: Cllr Coulson                      AGREED**

**5.3 Yarm Town Council EGM** held on 2nd August 2022.

**5.3.1** Cllr Monck asked why, having now seen these minutes, they were not issued sooner. The Clerk gave the explanation (as given in the 13.09.22 minutes, pointed out by Cllr Moffitt):

- a) There is no provision/guidance in Standing Orders as regards votes of no confidence (as written motion or as a motion not regarding written notice);
- b) she wished to ensure that all detail possible could be published in the public domain but because this item was discussed under the line and because of a) above, had to check how the discussion/ matter should be minuted in order to
- c) consider the rights of individual councillors concerned & matters that might consequently impact upon YTC as a body;
- d) understand other additional matters pertaining e.g. whether a vote of no confidence required a majority of the council as a whole.

Advice eventually obtained (the added factor being it was sought during summer recess) suggests that Cllr Monck should have given written notice for a vote of no confidence (recognising that Cllr Monck's own research suggested that he didn't need it); it is recognised that, therefore, the Chair could have stopped this (seeking advice from the Clerk if he so chose) but this might have looked like a 'cover-up'/self-interested and so the vote went ahead. The Clerk confirmed that she had discussed with the Chair and Vice Chair prior to this meeting the option for the Chair to hand over to the Vice Chair for this item (as it pertained to the Chair) but he chose not to do so.

**5.3.2** The minutes of **Yarm Town Council EGM** held on 2nd August 2022 were proposed for approval and signature by the Chair.

**PROPOSED:** Cllr Addison                      **SECONDED:** Cllr Moffitt                      **AGREED**

**6.0 Matters arising from the minutes of the previous Ordinary YTC meeting, 13th September 2022:**

**6.1 Litter Bins and Trade Waste Bins : Current Position**

**Cllr Morton** detailed how the trade waste bins situation in Central Street had recently got significantly worse - the problem was still not solved with bins overflowing onto the highway - a significant eyesore and health hazard. **The Clerk** gave an update most recently forwarded by **Ward Cllr Sherris** stating that a new enforcement officer at SBC confirmed that the matter was being dealt with, the trade bins should all have a location off the highway (as per original business planning permissions) and that this was being sorted; any unadopted bins would be removed.

**6.2 YTC 'Charity of the Year' - The Clerk** will liaise with Cornerstone to firm up opportunities and plans.

**6.4 Ward Budget Funding: Spinner proposed for Willey Flatts**

**The Clerk** confirmed the Ward Cllr preference for this i.e. for it to be located at Snaith's Field (as per original agreement in a previous year). Only a small extension to the ground area would be required. £4k had been granted to YTC toward the equipment this financial year but YTC may wish to approach Ward Cllrs for further ward budget funding (e.g. in the new financial year). **Cllr Addison** suggested that YTC might not be in a position to contribute financially to this proposal currently given other commitments. It was proposed to ask for further contribution from the ward budget in the next financial year (location to be Snaith's Field).

**PROPOSED:** Cllr Moffitt                      **AGREED:** Cllr Coulson                      **AGREED**

**6.5 River Walkways Partnership Project : Update**

**Cllr Moffitt** reconfirmed that the EA would begin work on the new flood gates next spring and were also undertaking a topographical survey of the walls. The repair of the river pathway (True Lovers Walk) was again postponed until the 7th November (removing the bumps caused by tree routes that render the paths difficult for wheelchair users, pushchairs).

**6.6 Offer of a Memorial Bench for Cllr Alan Gallafant (from the family)**

**Cllr Moffitt** - the family now have the bench and are liaising directly with the Wellness Centre for installation.

**6.7 Proposal for Memorial Bench for Vincenzo Serino**

**Cllr Carter** reported that the family have purchased a bench (same type as those sited by the True Lovers' Volunteers) and have picked the space along the river walkway where they would like it to be installed. The True Lovers Volunteers are leading this project.

**6.8 Pack up & clearing of the Town Hall & artifacts**

**The Clerk** reported that all artefacts are now carefully packed in appropriate materials, catalogued and valued (benefitting from continued voluntary work by Jo Faulkner). A date is being arranged for removal and storage with Preston Park Museum

and professional artefacts removers. Items for general disposal or auction are still to be dealt with. The meeting table is still to be dismantled (offer from member of the public to help - date to be agreed).

#### **6.9 Member of the public to contact Clerk (re. bench request from years past)**

**The Clerk** has not heard from the member of the public who raised this or the gentleman she stated had requested the bench.

**6.10 Drainage issue near bridge (True Lovers Walk Volunteers)** - no progress on this issue currently.

**6.11 Civility and Respect Agenda (including Training)** - **Cllr Coulson** reported that he, Cllr Addison and Cllr Moffitt had attended this useful training and urged others to participate.

**ACTION:** Clerk to circulate future Civility & Respect training items in this national campaign for local councils.

#### **6.13 Keeping Yarm Safe: update following meeting**

**Cllr Carter** reported that the police had now replaced the reporting system originally set up with a volunteer (who was collating and forwarding ASB incidents in Yarm). The new system the police wish to encourage people use is an online app (other reporting including by telephone is obviously still available). Councillors discussed the importance of registering every individual incident (ASB etc.) in order that this data feeds into showing growing need for policing.

#### **6.14 Tree Survey Scheduled**

The tree survey has now been conducted and the resulting report is awaited. A tender will then go out for the work required (i.e. if potential value implies the tender threshold is reached). **Cllr Monck** reported that trees in St Mary Magdalene Churchyard would require permission of the diocese before any work is carried out.

[**Other Matters Carried Forward: Flag Flying Policy** - Cllr Barbara Wegg asked about flying the Navy flag on 21st October - it was confirmed that this was already in the schedule (Trafalgar Day 21st October); Night Market idea - Research; Renovation of High St Benches].

### **7.0 Council Finances**

#### **7.1 To authorise payment of the accounts**

**7.1.1 Payments List Refers** - **Cllr Addison** presented the payments list and asked that it be agreed.

**PROPOSED:** Cllr Monck                      **SECONDED:** Cllr Moffit                      **AGREED**

#### **7.2 Income and Expenditure Report - September 2022 (DOCUMENT REFERS)**

#### **7.3 Bank Reconciliation - September 2022 (DOCUMENT REFERS)**

**Cllr Addison** asked that both the income and expenditure report (7.2) and the bank reconciliations (7.3) be noted by the meeting.

#### **7.4 One off payments for works: thresholds reached requiring quotations**

**The Clerk** reported that she and Cllr Addison monitored total amounts spent for areas of 'odd jobs' that the council needed

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to have done throughout the year. The two areas in particular are: gardening and odd items of grounds maintenance not covered by contracts given through the quotation process (i.e. excluding hanging baskets and grass cutting); general repairs and maintenance e.g. fencing at the allotments. Both of these areas are monitored - if spend reaches more than £1,000 (current threshold requiring quotations) in more than one year (noting there might be large 'one off' items in one year but not another), then quotations should be sought for a future year package of work.

**8.0 To Review and Consider the Correspondence List** - noted; no queries.

**8.1 The Clerk** requested that she might brief Councillors re. item on the list as regards a member of the public querying as to whether they have a legal claim against the Council.

**8.2 A vote was taken to exclude the press and public at the end of the meeting in order to consider the above item of business (as at 8.1) in the context of The Public Bodies (Admission to Meetings) Act 1960 Sec1 (2).**

**9.0 Adjournment and Questions From the Public**

**The Chair** adjourned the meeting for questions from the public. A member of the public suggested that, given current price increases, YTC's current quote threshold of £1,000 was too low. The suggestion was well received for consideration.

**10.0 Policy and Resources:**

**10.1 Cemetery Report**

**Cllr Moffitt** reported that metal strips are being fitted on the chapel doors to keep out vermin (cost is £60).

**10.1.1 The St Mary Magdalene Tomb Survey** - work starts after the Yarm Fair.

**Cllr Moffitt** will review the wall between the allotments and the cemetery for stability and condition. The ivy may need removing.

**Cllr Monck** reported that there are 6 dead trees in the enclosed churchyard (St Mary Magdalene) - the awaited tree survey will report this. Diocesan approval will be required prior to arboricultural work. There is to be an area within the enclosed churchyard for growing wildflowers. This will be clearly marked out and YTC grass cutting informed. **Cllr Carter** raised a question as to who owns the land that is kerbside to St. Mary Magdalene as this needs tidying up. Cllr Monck confirmed that this was church land and **Cllr Carter** agreed to see if the True Lovers Walk volunteers would tidy this.

**10.1.2 Proposal to give dispensation for the Chair of Cemeteries to authorise burial applications that are not easily/clearly defined or governed by YTC Cemetery Rules & Regulations, or currently require application to the Cemetery Committee.**

**Cllr Moffitt** reported that requests for burials are received which are not necessarily defined by the rules and regulations i.e. "Burial at Yarm Cemetery is available for residents or those born or baptised in the Parish. Those with family members previously interred (i.e. grandparents, parents, children and siblings) are also considered." **Cllr Moffitt** gave 2 examples of burial requests 'not defined by the rules': where someone who'd lived in Eaglescliffe but had given 50 years service working as a midwife across Yarm; where one of two unmarried partners had died and the other consequently left the area but wished to return to be buried with his partner. As answers needed to be given quickly (i.e. making calling a Cemetery Committee to decide these matters unpractical), **Cllr Moffitt** requested that he be given dispensation to liaise with the Clerk and make decisions regarding requests for burials not clearly defined by the Cemetery Rules and Regulations.

**PROPOSED:** Cllr Monck

**SECONDED:** Cllr Addison

**AGREED**

**ACTION:** Clerk to amend the Cemetery Rules and Regulations accordingly (and circulate to Councillors).

## **10.2 Allotments Report**

**10.2.1 Cllr Coulson** reported that he'd consulted with YCAA as to the demolition of the hut (currently used by tenants of the plots for use by people with disabilities) and asked them what the options for this might be (resources being limited). A group from YCAA had gathered on the disabled plots to assess the hut; the current tenants weren't present but a proposal was then publicly talked about. The Clerk stated that current tenants and councillors must be consulted and have the opportunity to consider in a wider context a) the future of the area/hut re. provision for people with disabilities b) the needs of current and potential future tenants with disabilities c) how best to support YCAA as they develop as an inclusive public organisation. **Cllr Coulson** asked what should now be done and the Clerk suggested an Allotment Committee meeting (including YCAA).

**10.2.2 Cllr Bob Wegg** requested that the Council should run the general allotment hut for everyone. **The Clerk** clarified that it is YCAA (as previously) who run the hut for everyone (i.e. £3 yearly required to join YCAA including other benefits). Cllr Barbara Wegg again asked that the sign on the allotment hut should be changed and the Clerk, as at a previous meeting, invited Cllr Barbara Wegg to attend at the office with her to compose a new sign.

## **10.3 Minutes Protocol: drafts, publication, timescales, best practise and legal framework**

**The Clerk** reminded the meeting that YTC had, for many years, published minutes only following the approval of the draft at the next monthly meeting, following which they are published in the public domain (other nearby local council's also adopted this practice). She explained that her understanding was that there was no legally required time limit within which a Council the size of YTC should publish minutes (but there are good practice guidelines). The Clerk explained that the 30 days / 4 weeks wording that **Cllr Smailes** had presented at the last meeting as a 'requirement' for publishing in the public domain referred to the Transparency Code, which is a legal framework for smaller Council's with a turnover of under £25,000 (these council's do not complete an Annual Governance and Accountability Return but do have to abide by this code.). The Clerk reported that NALC & SLCC were, however, encouraging councils to adopt the Transparency code as good practice. If YTC wished to adopt the practice of publishing within 30days/ 4 weeks, depending on where the 2nd Tuesday fell each month, some months would mean publication would be beyond the 30 days/ 4 weeks if YTC wished to follow it's current practice of approving minutes rather than publishing a draft first. Council should decide at the next meeting whether or not they wish to publish a draft prior to Council approval every month (or with the option of doing this only in the months where publication is longer than 4 wks / 30 days).

## **10.4 Committees: setting advance dates for meetings**

**The Clerk** referenced the recent issue as regards not being able to get a Leisure and Culture meeting scheduled with enough attendance to be quorate (and include the Events Manager). She suggested that it is good practice to put the annual round of committee meetings in the diary in advance i.e. at the Annual Meeting (e.g. Allotments, Cemeteries, Leisure, Finance & Governance). If necessary dates could be amended. This was agreed as a good approach.

**ACTION:** **The Clerk** will make a draft schedule of committee meetings, in conjunction with the relevant Chairs, for the rest of the financial year.

## **10.5 Social Media : Guidance on Appropriate Use By YTC / A Local Council**

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**Cllr Morton** suggested that this be carried forward to a future agenda to give opportunity for him to meet with the **Clerk**.

## **10.6 Proposal to adopt SBC owned High Street Benches**

(impact on YTC expenditure being circa £600 per annum + £800 one off cost) DOCUMENT REFERS

**10.6.1 Cllr Carter** briefed the meeting on a proposal to adopt 8 currently unadopted or SBC benches in Yarm High Street (& up to the Spital) and in a couple of locations along the river (excluding the wharf). The Clerk briefed Cllrs as to the estimated cost of this - £1,640 (at current cost) every 3 years (inflation to be added). This would see an annual budgetary impact to YTC of approximately £547 additional spend (yearly inflation / price increases to be added) per year. One option is for this to be covered by an increase to the precept request. YTC has a budget line for maintenance of its own benches. It was proposed that YTC adopt these benches and maintain them along with YTC benches.

**PROPOSED:** Cllr Coulson                      **SECONDED:** Cllr Moffitt                      **AGREED**

**10.6.2 Cllr Carter** also proposed that the 8 benches on the wharf owned by SBC be refurbished along with all of those along the High St (as referenced above at 10.6.1) within the sponsorship package he has achieved from a local business. Including the 8 benches on the wharf would require an additional £800 from YTC. Cllr Coulson proposed that YTC spend this £800 to achieve this.

**PROPOSED:** Cllr Coulson                      **SECONDED:** Cllr Addison                      **AGREED**

**NOTE:** The agreed proposals at 10.6.1 & 10.6.2 are subject to SBC approval and the relevant permissions.

## **10.7 Detail regarding various gardening services & fees paid**

**Cllr Smiles** had requested financial information in respect of various gardening services be presented to the meeting. This was presented (DOCUMENT REFERS within the financial meeting papers). It was clarified that this work was conducted by a singular, current gardener (the maintenance of hanging baskets being a separate contract that 3 quotes were obtained for). The Clerk referenced that this information related to the point made at 7.4 above (re. Quotations being required if a threshold is reached for regular tasks). **Cllr Coulson** clarified that the current gardener maintained and planted all of the High St tubs for free (in exchange for advertising on them).

## **10.8 Idea for developing a Yarm Heritage Mural (new car park wall)**

**Cllr Moffitt** briefed the meeting regarding this proposal and that he was awaiting a response from Ward Cllr Sherris as to how the owners' of the building view this idea.

## **10.9 Stability of the wall surrounding the old Campbell's garage site.**

**Cllr Morton** reiterated concerns regarding this wall that is leaning severely and looks to be on the verge of collapse (as it has done for some time). **Ward Cllr Sherris** has forwarded information to say that SBC Building Control had reviewed the wall, confirmed that (although an eyesore) it is in fact stable and reminded the property owners of their continuing responsibility and liability to ensure that this wall does not cause damage or danger.

## **10.10 Grass Cutting Contract**

**Cllr Monck** reminded the meeting that this tender would need to go out in plenty of time for work to be timetabled next Spring (April)

**ACTION:** Clerk to produce tender specification and ensure advertised and appointed in time.

## **11.0 Planning & Environment:**

### **11.1 Matters Arising: Planning Applications & Lists**

**NB** The agenda was paused and a vote was taken to waive Standing Orders and continue business beyond 9.30pm; **Cllr Addison** proposed that the meeting should continue until business on the agenda is completed.

**PROPOSED:** Cllr Addison                      **SECONDED:** Cllr Moffitt                      **AGREED**

**11.1.1 Cllr Monck** raised the issue of proposed white hatching to confirm enforceable 'no parking' on the corner of Bentley Wynd. The meeting was in support of this.

**ACTION:** Clerk to confirm to SBC that this cross hatching proposal for the corner of Bentley Wynd is favoured by YTC.

**11.1.2 Cllr Monck** reported that the development at Yarm Riding School (Application No. (20/2277) is subject to an application appeal (YTC has previously given a detailed objection to this). Cllr Monck will be attending the scheduled SBC appeal hearings on 18th and 19th October. Cllr Monck stated that he understood that the people who occupied the bungalow that needs to be demolished for this development to go ahead have received a 2 week eviction notice (instead of what he understands should be a 4 week notice) and that this has been issued *before* the hearing.

**Cllr Monck** reported that the Mount Leven Farm development (Application No. 21/2925), which had originally been submitted for planning permission as a retirement village (i.e. single storey bungalows), was now looking to include an additional housing development on the same site (the pharmacy, shop and other facilities to support the previous retirement village had now been removed. Cllr Monck advocated resubmitting YTC's previous objection which received the meeting's support.

**ACTION:** Clerk / Cllr Monck to revisit the previous objection detail and resubmit.

## **11.2 Latest Play Area Reports & Issues: Update**

**The Clerk** briefed the meeting that she had now sourced a number of possible repair companies from whom quotations are being sought.

## **12.0 To agree any content for the YTC website and requests for Facebook features**

**12.1 Feedback on items to date & proposed new items.** No further items were identified.

## **13.0 To receive items for information and consideration for the next agenda.**

**i) Cllr Monck** asked that management of the allotment hut should be put on the next agenda.

**ii) Resolution** regarding whether or not to publish draft minutes.

**14.0 To confirm the date and time of the next YTC meeting:**

**7pm, 8th November 2022**

**15.0 Confidential Item**

**15.1 The press and public were excluded (as decided at 8.2) in order to consider the item of business (as at 8.1) in the context of The Public Bodies (Admission to Meetings) Act 1960 Sec1 (2).**

**The Clerk** detailed communication from a member of the public who felt she had a claim against YTYC as regards damage to property. The Clerk had investigated the matter and presented her conclusions to the council that she intended to present to the member of the public unless Cllrs could evidence other/alternate information. One suggestion was received and the Clerk confirmed that she had a named source of information that counters this suggestion. The meeting closed - 21.43pm.

In accordance with the Public Bodies Admission to Meetings Act 1960, press and the public shall be excluded for this item due to its confidential nature. LGA Act 1972 schedule 12 paragraph 10(2)(e)

The Public Bodies (Admission to Meetings) Act 1960 Sec 1 (2) - A body may, by resolution, exclude the public from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings; and where such a resolution is passed, this Act shall not require the meeting to be open to the public during proceedings to which the resolution applies.