**GILBERDYKE PARISH COUNCIL**

**Summary Notes of Parish Business (March and April 2020)**

**during the Covid-19 Emergency (in the absence of Parish Meetings)**

**Cllrs:** Cllr N Norris (Chair), Cllr P Byran (V-Chair), Cllr P Buckle, Cllr J Jessop, Cllr K Cooper,

Cllr C Newsome, Cllr D Mansell, Cllr E Morrison, Cllr K Woolass

**Clerk:** Andrew Crabbe

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**1 Points of Procedure**

Parish Meetings during the Covid-19 Emergency

As a point of record, and due to the current Covid-19 emergency, as of Monday 9th March, Cllrs agreed that further physical meetings of the Parish Council should be suspended / cancelled until further notice, due to Government advice regarding public gatherings – it was understood that most other Parish Councils were also cancelling their meetings. Cllr Norris as Chair and Cllr Byran as Deputy Chair agreed with Clerk’s recommendation that this was necessary and appropriate as several Cllrs would be considered to be vulnerable persons and therefore at higher risk of infection.

Clerk duly issued emergency procedures to ensure key services of the Parish Council were implemented / actioned and allow Cllrs to consider and vote on matters raised during any period physical meetings were not held. These can be found as ***Appendix 1.*** Cllrs agreed to monitor the situation and if there was no lifting of restrictions by end May, then the PC would look into holding remote (on-line) meetings.

As a point of procedure, Clerk issued notices of cancellation for the April Meeting which was posted on the website and noticeboards and can be found attached as ***Appendix 2.*** **The Parish Council is keen to ensure that residents still had access to their Parish Cllrs and can still contact the PC via the website gilberdyke.org.uk or** [**gilberdykeparishclerk@yahoo.com**](mailto:gilberdykeparishclerk@yahoo.com)

Annual General Meeting

In addition, the Clerk advised to Cllrs that the Annual General Meeting was due in May, and that it was a statutorily / legal requirement that this was held annually and it required a statutory instrument to allow Parish Council(s) not to hold such a meeting – Clerk noted this was now issued, and in light of the current restrictions, particularly on public gatherings, the AGM of Gilberdyke would not be held in May.

Clerk advised Cllrs he had drafted emergency procedures for the intent of the meeting to still be implemented in May – these are attached as ***Appendix 3*** – Cllrs duly approved the procedures which the Clerk would implement in May.

February 2020 Minutes

No requests for amendments were made by Cllrs to the February minutes and therefore these stand as true record in the absence of normal procedures for signing off by the Chairman.

**2 Financial Report for April**

Clerk advised Cllrs that he would be assuming responsibility for financial matters as of April following agreement that the previous Clerk, Nicci Robinson should temporarily manage the accounts until the financial year end. Cheques listed for payment in April are detailed below:



Clerk also advised Cllrs of problems with the new payroll provider, who had suffered staffing issues due to the Coronavirus and had not submitted the payroll to the PC as yet, therefore the two street Cleaners had not been paid on their normal pay date. Clerk was hoping this would be resolved ASAP and had apologised to the two Cleaners for the delay.

**3 Planning Applications**

Clerk advised Cllrs of one application received for their consideration - the closing date for observations was 7th May and if Cllrs could submit any comments to him by 30th April, he would ensure that these were sent to ERYC:

**Proposal:** Variation of Condition 23 (approved plans) of planning permission granted on appeal decision APP/E2001/W/18/3202853 following refusal of 17/02453/VAR - Erection of 29 dwellings and associated access road - to allow for design alterations to the roof of the Wharfe house-types and renaming to the Wharfedale

**Location:** Land West Of Craig House 56 Station Road Gilberdyke

Clerk also noted the following Planning Decision advised by ERYC

**Proposal:** Erection of a livestock building

**Location:** Land West Of Yokefleet Grange Anserdam Lane Sandholme

**Applicant:** A W Kay Farming Ltd

**Decision:** Accepted with conditions

**Proposal:** Erection of 2 dwellings

**Location:** Land South Of Wades Bungalow Staddlethorpe Broad Lane Gilberdyke

**Applicant:** B & C Bradley

**Decision:** Refusal

For full details of applications, use the public planning portal at ERYC

<https://newplanningaccess.eastriding.gov.uk/newplanningaccess/>

Type in ‘Gilberdyke’ for the location and chose ‘current’ applications

**4 Matters arising – to consider new and on-going issues and decide further action if necessary:**

1 Newport Parish Council and Joint Burial Committee

Following a meeting held with Catherine Train, Parish Clerk for Newport PC to discuss various matters of joint interest between the two Parish Councils, Clerk submitted a report to Cllrs concerning the Joint Burial Committee (and cumulating in a correspondence from Newport PC that they wished to end the joint arrangements). In summary Clerk advised that the meeting with Ms Train had been very constructive and he was optimistic that any issues and mis-understanding could be resolved. Both Clerks continue to work with their respective Cllrs to achieve this end for the benefit of both communities.

2 Gilberdyke Volunteers Support Group

(20th March) Clerk advised Cllrs that he had received correspondence from a Mr Andy Hirst in the village who was arranging for the creation of a group of volunteers (Gilberdyke Volunteers) who would help vulnerable and elderly people who were struggling during the current emergency – Mr Hirst forwarded a copy of a poster explaining the role of the Volunteers and Cllrs agreed to support the Group - a number of the posters were subsequently printed, laminated and posted around the village.

The Parish Council also offered and received a request from the Volunteers for financial support and Cllrs have subsequently agreed to a donation of £500 towards PPE and emergency supplies – this was agreed strictly subject to the Group being able to provide explanation of how the donation was spent in acknowledgement that this was public money and needed to be auditable and accounted for.

Street-Cleaning during the lockdown period

Cllrs considered if the two street cleaners employed by the Parish Council should continue with their duties during the current emergency. (23rd March) Cllr Norris, as Chairman advised that the two should be placed on temporary leave whilst the PC considered the situation and how best to ensure the wellbeing and safety of the two street cleaners and residents in general

At the end of the three-week period, Cllrs agreed to request the Cleaners return to their duties. This decision was based on an acknowledgement that the Cleaners were able to work by themselves and ensure social distancing was maintained.

Cllrs also noted that the PC had received a number of comments about rubbish in the village and felt that this might lead to increased anxiety and worry amongst residents during this difficult time. Clerk drafted a Risk Assessment to ensure the continue well being and safety of the two employees, which were duly authorised by Cllrs and sent to the two employees.

The two street cleaners returned to work as of w/c 13th April and the Parish Council would like to thank Chris Johnson and Terry Wilcox for their efforts in keeping the village clean and tidy at such a difficult time.

Orchard Paddock Allotments

(5th April) Clerk advised Cllrs that he had received correspondence from a number of residents asking about the allotments noting that these seemed to be unoccupied at this time due to their current state of overgrowth. Clerk recommended that he contact the current tenants and ask with regard to their intentions and if they are to continue with their tenancies then they commence to bring the plots back to a reasonable standard.

Clerk to contact current tenants as above.

Village Defibrators

(9th April) Clerk advised Cllrs that he had received a request from Paul Buck of the village who advised he was the appointed Guardian for the defibrator on the village hall, and was requesting new electrode pads for the machine in the understanding that the Parish Council purchased these. Cllrs duly confirmed this was the case and Clerk ordered the pads which were subsequently sent to Mr Buck direct.

Cllr Cooper advised that he was the Guardian for the defib in the Health Centre and requested that new pads be purchased for this machine as well – pads had to be replaced every two years.

Fishing at the Village Pond

(18th April) Clerk advised Cllrs that he had receive advice that fishing was still being carried out at the village pond and Cllrs discussed if a notice was necessary, specifically forbidding this during the current emergency. Clerk sought the advice of ERYC Countryside Team who duly confirmed that the Authority had suspended all fishing at its lakes and ponds for the duration of the emergency – this was in line with Government advice which specifically stated that fishing was not considered to be one of the accepted forms of exercise.

Notices were duly posted following a Cllr vote on the matter suspending fishing at the pond until further notice. Any person seen in breach of this should be reported to the designated Humberside Covid-19 Police

<https://www.reportingcrime.uk/HPBreachOfCovid19Guidance/index.html>

Annual Financial Audit

Clerk advised that the PC auditors Littlejohn had written to all PC’s at the beginning of March advising that they would not be issuing their instructions with regard to the Annual Return until they had received clarification from the Government as to unclear aspects of this year’s return.

As of 24th April, PKF Littlejohn have now issued their instructions and the Parish Council will need to commence their annual return submission – deadlines had been extended in the current circumstances until November 2020.

Changes to the GDLA Tenancy Agreement / Contract

Clerk advised Cllrs that he had at last received a response to an email he had sent to the solicitors in early March concerning the requested changes to the Tenancy Agreement between the Parish Council and the GDLA: Cllrs were reminded that the requested changes were due to the GDLA pursuing a grant from the Football Foundation who had specifically requested a number of changes. These can be found attached as ***Appendix 4 .*** Clerk advised that the solicitor had apologised for the delay in responding to the March email which was due to changes in staff at the Goole offices. The solicitor duly provided an explanation to the requested clauses which Cllrs are currently considering with a view to taking a vote in early May as to if the Parish Council will accept the requested changes.

ERYC funding for planting of Native Trees

(23rd April) Clerk advised Cllrs of a project by ERYC to plant native trees in the East Riding and the Authority were offering funding of up to £3,000 for local projects to do this….. criteria and conditions were duly issue to Cllrs, several of whom responded and thought it was a good project and something the PC should undertake. Cllrs are currently considering this matter and more details will follow in the subsequent weeks. Closing date for applications is 31st July of this year.

Flower Baskets for the Village

Clerk advised Cllrs of a local Company offering to hang flower baskets in village high streets – at this difficult time for residents this could be seen to improve the look of the village and raise spirits and morale. Total cost for 20 baskets, to be hung on lamp-posts would be in the region of £2,000.

Cllrs are currently considering this proposal and a decision will be advised in May.

2020/21 Precept

As a point of record and duly noted in this document, (27th April) Clerk advised Cllrs of the notification of the first precept instalment for the forthcoming financial year for the amount of £33,175.00, which should be listed in the May financial report and Bank Statement.

**5 Important Correspondence and Matters raised by Cllrs**

5.1 Clerk advised that he had received a complaint from a resident in Hansard Drive with regard to a rat infestation – the resident was concerned as the rats were coming into her house and she dare not leave her doors open. Resident also advised that the garden of a property in the street was extremely overgrown and in a poor state and she believed the rats were coming from there.

Clerk has reported the matter to ERYC and is currently awaiting response.

5.2 Cllr Mansell advised that a resident had approached her concerning the bus stop on St Stephens Crescent and the difficulties the bus had in stopping there due to parked cars and double parking, meaning bus travellers had to walk a considerable distance before they could board the bus. The resident had requested if the Parish Council could look into bus stop no waiting markings on the road.

Clerk had contacted East Yorkshire Buses and ERYC (Highways) with regard to the matter and is awaiting a response.

5.3 Clerk advised that he had received an email from a resident on Main Road to report standing water on the road outside her property. Clerk had tried to report this but Yorkshire Water were currently only taking emergency calls relating to sewage and domestic supplies – matter remains open.

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**Signed as a true record …………………………………………………………… Date ……………………………**

**Cllr Nick Norris**

**Appendix 1**

**Gilberdyke Parish Council**

**Cllrs Decision Making During the Coronavirus Emergency**

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**Introduction**

Following Government instruction banning public gatherings / meetings and in line with current guidelines for social distancing, the following **temporary measures** are to be put in place to ensure essential decision making is carried out by the Parish Council, in particular the payment of invoices received to ensure essential services are maintained (ie street lighting).

These measures will be reviewed by the Chair and the Parish Clerk on a monthly basis and if they are to be maintained for a further month, Cllrs will be duly advised by email by the Clerk.

The measures are designed to avoid physical contact between Cllrs / the Clerk / the public, wherever possible. In exceptional circumstances where face to face contact is required, social distancing rules need to be observed (2 metre at least and washing hands thoroughly after contact).

Where the Chair is not able to carry out their role due to illness, authority will be immediately delegated to the Deputy Chair. Where the Clerk is not able to carry out their role due to illness, the Chair will request a volunteer from Cllrs to stand in.

Members of the public should be encouraged and directed to use the Parish Council Website as much as possible to keep up to date with communications and also advise the Parish Council of urgent matters they wish to bring to the attention of Cllrs.

Cllrs should check their emails at least once a day and unless already provided, provide their telephone number to the Clerk and Chair.

1. Outstanding matters or new matters arising may be instigated by any Cllr or the Clerk and should be sent to the Clerk in the first instance who will ensure the full details of the matter are emailed to all Cllrs.
2. The Clerk will provide a timeframe for email or (if possible) conference call discussion between the Cllrs, (as agreed with the Parish Chair). The Clerk will ensure all Cllrs are engaged and given the opportunity to provide relevant comments and observations.
3. At the end of the discussion timeframe, the Clerk will request Cllr email approval for the matter to be carried / actioned. The number of approvals will depend on the matter in question, but should be a minimum of two Cllrs, and a maximum of three. The Clerk will seek the instruction of the Chair to determine the approval number needed depending on the matter in question. If Cllr approval is not provided in the timeframe, then the Chair will determine if it is necessary to delegate authority to the Clerk to action.

**Monthly Financial Reporting**

1. The Clerk will provide a monthly financial report as normal to Cllrs via email giving Cllrs the opportunity to question and query the finances.
2. Financial transactions (cheques) requiring signing will be sent by post or hand delivered in an envelope (subject to Government instructions on mobility) to one signatory who will then repeat to the second signatory, who will then post back to the Clerk for actioning. Face to face contact should be avoided where possible.

**Planning Matters**

1. Where planning applications are received during the emergency period, the Clerk should follow the same process of emailing applications to Cllrs allowing them a discussion timeframe as agreed with the Chair. At the end of the discussion period, the Chair will approve a final observation on each application which will be actioned in the normal way by the Clerk.

**Monthly Minutes**

1. The monthly minutes will be temporarily suspended and replaced by a summary of matters arising, key points of Cllr’s discussion, outcome and action, all maintained by the Clerk.
2. Financial Records and Planning Applications should be published as normal in the document.
3. The Clerk will maintain a separate record of matters arising detailing summary of matter, discussion, approval, action and outcome. Copies of the record should be made available to Cllrs at all times.

**Appendix 2**

Notice & Agenda

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**LOCAL GOVERNMENT ACT 1972**

**Gilberdyke Parish Council**

**NOTICE IS HEREBY GIVEN THAT DUE TO THE CORONAVIRUS EMERGENCY, THE APRIL 2020 (ORDINARY) MEETING OF THE PARISH COUNCIL IS CANCELLED**

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The Parish Council has put ‘Emergency Procedures’ in place in order to deal with urgent and key issues, details of which can be found on the Parish Website and Noticeboards.

Residents are still encouraged to contact the Parish Council via the website or email [gilberdykeparishclerk@yahoo.com](mailto:gilberdykeparishclerk@yahoo.com); or 07749 387757 on any issues they need the Parish Council to be made aware of.

In addition, following the date of the above cancelled meeting, a log of any decisions and actions made by the Parish Council can be found on the website / notice boards in place of the normal minutes.

**STAY SAFE DURING THE CORONAVIRUS EMERGENCY**

**SUPPORT OUR NHS AND OUR EMERGENCY SERVICES**

**PLEASE STAY AT HOME**

**Appendix 3**

**Gilberdyke Parish Council**

**Arrangements for the Annual General Meeting due to the Coronavirus Emergency**

**(STATUTORY INSTRUMENT 2020 No. 392 LOCAL GOVERNMENT, ENGLAND POLICE, ENGLAND AND WALES)**

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**Introduction**

Due to the current ban on public meetings and gatherings, the government have issued a statutory (instrument) legislation as of Saturday, 7th May, that in 2020 there will be no requirement to hold a statutory Annual General Meeting for Parish and Town Councils – the new legislation is in place only until May 2021 at which time an Annual General Meeting must be held.

In the absence of any AGM, Parish Councils are permitted to invoke a transparent procedure for allowing the intent of the AGM with regard to continuation or otherwise of roles within the Parish Council allowing Cllrs to advise if they wish to continue in the role and update their declarations of interest. Specifically, this means:

* To provide the opportunity for the Parish Chair to confirm (or otherwise) their intention to continue in the role for another year.
* To provide the opportunity for the Deputy Chair to confirm (or otherwise) their intention to continue in the role for another year.
* To allow Cllrs to a) vote their agreement to the above or b) to invite Cllrs to put themselves forward for the roles (Chair / Deputy Chair) in the event of either person wishing to resign.
* To provide the opportunity for all Parish Cllrs to confirm their intention to continue as Cllrs and for them to update their current Declarations of Interest.
* To provide the Parish Chair an opportunity to present a written End of Year Report / statement.
* To provide the Parish Clerk an opportunity to present a Financial End of Year report / statement.

The process for the above will be managed by the Parish Clerk who will distribute the necessary documentation (where possible this should be done electronically) with a date for return. Specifically, all Parish Cllrs will be issued with a ‘Notification of Intent’ for completion and return to the Parish Clerk no later than 31st May 2020.

The Parish Clerk will then provide a summary report to include the Chair’s ‘End of Year’ Report and the ‘Financial End of Year’ Report, which will be published on the Parish website in substitution of the Annual General Meeting Minutes

**Appendix 4**

**Gilberdyke Parish Council**

**Issue of requested changes to the GDLA Lease**

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Summary of Issue

The GDLA are requesting changes to the current lease held with the Parish Council due to a funding application with the Football Foundation.

The FF have identified the following changes to the lease and the GDLA advise that 5% of the grant will be held until the changes are implemented. It is understood that the GDLA have been advised that it would require a ‘Deed of Variation’ to be entered into between the landlord and tenant to deal with the above.

Requested Variations

**1 Permitted use** – the permitted user clause needs to be tweaked to include “community use” also.

**2 Assignment** – assignment is permitted with consent but the consent is not stated to not be unreasonably withheld.

**3 Charging**- the lease is silent on charging. We propose that it is amended to permit charging or the applicant will have to approach the landlord for consent for the grant of the charge in favour of the FF.

**4 Insurance** – the lease is silent on insurance. Who is responsible for insuring the premises?

**5 Forfeiture** – the landlord can forfeit the lease on tenant insolvency. This clause needs to be removed from the lease for it to be suitable as security for the FF. Insolvency is a irremediable breach and so even if the FF had notice of it, it would not be able to step in to help the FF to remedy the breach before the lease was forfeited and the FF legal charge lost.

**6 Mortgagee protection clause** - the lease does not contain a mortgagee protection provision. In order for the lease to suitable as security for the FF, the following clause should be added:

*“PROVIDED THAT before exercising any right of re-entry under this clause the landlord shall give 60 days written notice to the Football Foundation or any other mortgagee of this lease for which notice has been given to the landlord (together “the Mortgagee”) and if within 60 days of the expiry of such notice the Mortgagee indicates in writing to the landlord that it wishes to remedy such breach the landlord shall allow the Mortgagee a period of three months or such longer time as may be reasonable (in view of the nature and extent of the breach) to remedy such breach or to procure that it is remedied.”*

to give the FF an opportunity to remedy a breach of the lease to prevent the lease being forfeited (and the FF’s security lost).

**7 Contracts (Rights of Third Parties Act)** - The lease does not contain this clause. This needs to be included and also in it reference needs to be made to the above mortgagee protection provision e.g. as follows: “Except as provided for in clause [being the mortgagee protection clause]…..”