

## ETTON PARISH COUNCIL

10TH JULY 2012

**PRESENT:** Councillors Bell (Chairman), Armstrong, Cunliffe, Egglestone, Sleight and Wright.

J Smith, Clerk was also present.

Members of the public – Two

The meeting was held at the Village Hall, Etton.

Apologies for absence were submitted from Councillors Boyd OBE, Holmes and Widd and Ward Councillor Pollard.

**73/12 DECLARATIONS OF INTEREST** – There were no declarations.

**74/12 MINUTES - Resolved** – That, subject to the inclusion in the list of apologies for absence of the name of Councillor Cunliffe, the minutes of the annual meeting held on 16th May 2012 having been circulated be approved as a correct record and signed by the Chairman.

### MATTERS ARISING FROM THE MINUTES

**75/12 Planning Appeal - Land north east of Manor Farm, Warter Lane - Erection of 2 No. 50kw Wind Turbines** – Further to Minute 47/12 it was reported that the Planning Inspectorate had confirmed that it had obtained from East Riding Council the photographs that had been submitted as part of its objections to the planning application. A decision on the appeal was awaited. **Resolved** – That the report be noted.

**76/12 Local Grants Fund/Severe Weather Grant Assistance Scheme 2011/12 and 2012/13** - Further to Minute 51/12 it was reported that east riding Council had confirmed that the application to ring-fence the £1000 unused from the 2011/12 Severe Weather Assistance scheme for use in 2012/13 had been approved. East Riding Council had also indicated that it was likely that the provision of the equipment locker for use as a storage facility for pallets of sandbags and salt in a suitable location would be allowable under the East Riding Council's Local Grants Fund scheme but that the cost might have to be met from the ring-fenced funding. **Resolved** – (a) That quotations for the provision of a suitable locker be invited from two local contractors, and (b) that an approach be made to the landlord of the Light Dragoon Inn and the Brewery for consent to place the locker in a suitable location on the pub car park.

**77/12 Condition of Telephone Kiosk** – Further to Minute 54/12 concern was expressed that the telephone kiosk had not yet been repainted. **Resolved** – That a further approach be made to BT stressing that the kiosk is in a conservation area.

**78/12 Other Matters – Painting of Lampposts** – Further to Minute 53/12 it was reported that the lampposts had been re-painted. **Resolved** – That the report be noted.

**79/12 The Queen's Diamond Jubilee Celebrations June 2012 – Commemorative Bench** Further to Minute 50/12 it was suggested that the Council should proceed with the purchase of a bench inscribed to commemorate the Queen's Jubilee irrespective of the outcome of the appeal regarding the proposed wind turbines. **Resolved** – That the Clerk, in consultation with the Chairman, be authorised to approve the purchase of a bench commemorating the Queen's Diamond Jubilee to be sited near the Village Hall at the corner of Main Street in place of the existing bench which shall be treated with yacht varnish and moved to a position to be agreed with the highway authority along Warter Road.

**80/12 LOCALISM ACT 2011 - LOCAL CODE OF CONDUCT** – Further to Minute 61/12 a report was submitted drawing attention to key elements of the a letter dated 18th June 2012 from East Riding Council. At the meeting on 16th May 2012 a letter from East Riding Council dated 4th May 2012 was submitted drawing attention to the need for all Council's, including Parish and Town Councils, to adopt a new Code of Conduct to reflect the provisions of the Localism Act 2011. Members expressed concern at the lack of clarity in that letter regarding the registration and disclosure of pecuniary and other interests. The Parish Council agreed in principle to adopt the same

Code of Conduct as East Riding Council subject to clarification as to what the letter dated 4th May 2012 means with regard to pecuniary interests (Minute 61/12 refers). Particular attention was drawn to the requirements regarding the Register of Members' Interests by 28th July 2012. A copy of the Parish Councils' Register must be available for inspection at County Hall, Beverley at all reasonable hours. Additionally the Register must be available to view electronically on East Riding Council's website and the Parish Council website. **Resolved** – (a) That the Code of Conduct, as adopted by East Riding of Yorkshire Council on 4 April 2012 and set out in the Appendix to these minutes be adopted to take effect as of 1 July 2012, subject to review following the receipt of further information from the Monitoring Officer/ERYC in relation to pecuniary and non-pecuniary interests, (b) that a notice indicating that the Council has adopted the Code of Conduct be displayed on the Council's notice board and on the Council's website, and (c) that in the interests of transparency and good governance the Council agrees that any Member declaring a pecuniary interest at a meeting must leave the room for the consideration of the item in which the interest arises.

## PLANNING APPLICATIONS

**81/12 87 Main Street – (Amended Plans) - Erection of a two storey extension and first floor extension to rear following demolition of existing extensions, installation of window in existing opening to side and part demolition and re-build of existing garage and boundary wall to side at (ref 12/02068).** Details of representations submitted by neighbours to the application were submitted. At the invitation of the Council the applicant commented on the application.

**It was moved and seconded** "That the Parish Council recommends that the application is refused on the grounds that the proposals constitute an overdevelopment of the site and does not comply with the East Riding Council's design guide in respect of distance from the rear of the house".

Upon being put to the vote the voting was: For - 3, Against - 3

The Chairman declined to exercise his casting vote.

**Resolved** – That East Riding Council be informed that the Parish Council is undecided and unable to arrive at a decision as Councillors were equally divided as to whether to recommend refusal or otherwise and that in the circumstances the Parish Council requests that the application should be referred to the Area Planning Sub-Committee for determination.

**82/12 Other Applications** – It was reported that correspondence had been received from a Councillor with regard to the consultations carried out on application reference 12/02068. The Clerk commented on the matters raised and indicated that a reply would be sent to the Councillor. **Resolved** – (a) That the report be noted, and (b) that the comments submitted following consultation with Parish Councillors on applications received since the last meeting which required a response prior to this meeting, as set out below be noted:

### Application

### Comments

- |  |  |
|--|--|
| (1) <u>87 Main Street</u> - Erection of a two storey extension and first floor extension to rear following demolition of existing extensions, installation of window in existing opening to side and part demolition and re-build of existing garage and boundary wall to side at (ref 12/02068) | (a) The Parish Council objects strongly to this application on the following grounds: <ol style="list-style-type: none"><li>1. The development which will essentially turn a cottage into a house constitutes an over development of the site and as such will be intrusive and affect the residential amenities of the adjoining property.</li><li>2. The development will affect the residential amenities of the adjoining property by blocking out the late sunshine from the rear garden.</li></ol> (b) The Parish Council supports neighbour objections to this development and accordingly requests that it be referred to the Planning Area Sub-Committee for determination. |
|--|--|

- (2) Land west of Arras Farm, Kiplingcotes Lane, Market Weighton - Construction of a 34.2m high wind turbine (ref 12/02182).
- (a) The Parish Council objects strongly to this application on the following grounds:
1. The adverse visual impact on the surrounding area by reason of the height and size of the turbine, especially as the Wolds is an area of outstanding natural beauty. The development of turbines currently underway nearby at Sober Hill Farm, North Newbald is a clear indication of the appalling effect such turbines have on the beautiful Wolds area.
  2. The cumulative negative impact on the visual environment due to the proliferation of such schemes in the immediate vicinity of Etton Parish in particular, and the wider East Riding area. Only recently Lincolnshire County Council has decided that it is a time to limit the number of developments for this reason.
  3. The Parish Council is aware that other applications in adjoining parishes are still under consideration with some being subject to an appeal against refusal.
  4. It is understood that the East Riding of Yorkshire Council has already met its 2021 renewable energy targets.
- (b) The Parish Council feel strongly about this application and request that it be referred to the Planning Area Sub-Committee for determination.

**83/12 Decisions - Resolved** – That the following decision of East Riding Council on the application stated be noted:

<u>Application</u>	<u>Decision</u>
(1) <u>134 Main Street</u> – Erection of first floor extension at side, construction of pitched roof over existing carport and replacement doors and windows to front (ref 12/01968)	Approved

**84/12 ANNUAL RETURN 2011/12** – This item was withdrawn from the Agenda for this meeting.

**85/12 ACCOUNTS – Resolved** - (a) That it be noted that the following income had been received since the last meeting:

	£
ERYC – Recycling income	123.32

(b) that the following payments be approved:

	£
(i) St Mary’s Church, Etton PCC (recycling income)	61.66
(ii) Etton Village Hall Committee (recycling income)	61.66
(iii) Etton Village Hall Committee – Hire of Hall	52.80

and (c) that the thanks received on behalf of the Village Hall Committee for the recycling income grant be noted.

**86/12 MEETING WITH BEVERLEY RURAL WARD MEMBERS** – It was reported that the next meeting would be held on 27th September 2012 and that up to 2 representatives could attend.  
**Resolved** – That the Chairman, Vice-Chairman and the Clerk will attend if available.

**87/12 EAST RIDING COUNCIL FLOOD LIAISON GROUP** – **Resolved** - That it be noted that the meeting scheduled for 1st June has been postponed to 28th September 2012.

**88/12 NATIONAL GRID – PUBLIC CONSULTATION ON PLANS FOR A CARBON CAPTURE, TRANSPORTATION AND STORAGE PROJECT** - Further to Minute 36/12 a letter the National Grid had arranged a series of information events and any views were to be submitted by 30th July 2012.  
**Resolved** - That the report be noted.

**89/12 CORRESPONDENCE** – **Resolved** – (a) That the following correspondence be received:

- (a) East Riding of Yorkshire Council
  - (i) Parish News – June and July 2012 (submitted).
  - (ii) Tackling Anti Social Behaviour in Our Community – Six Month Update 1 May 2012.
  - (iii) Joint Local Access Forum – AGM Agenda 13th June 2012
  - (iv) Beverley and Rural Community Partnership – Agenda and minutes of 8th June 2012.
  - (v) Passing Places – Gardham Road
- (b) Minutes of Cherry Burton Parish Council – 8th May 2012 (submitted).
- (c) Humberside Police – Parish/Town News Release - Beverley Rural Update for May 2012
- (d) Humber & Wolds Rural Community Council – Membership and Umbrella Newsletter
- (e) CPRE – Annual Report 2012
- (f) Clerks & Councils Direct July 2012

**90/12 ROUTINE MATTERS** – The following matters were discussed briefly:

- Church Lane – Maintenance of path and hedge cutting and condition of sign – The matters raised were being attended to.
- Grass cutting – That a letter be sent to East Riding Council regarding the non sweeping of grass cuttings by the Streetscene service.
- Pothole outside 115 Main Street – Refer to East Riding Council

**EAST RIDING OF YORKSHIRE COUNCIL  
MEMBER CODE OF CONDUCT**

**(1) Introduction and Interpretation**

- (1) This Code applies to you as a Member of this authority when you act in your role as a Member and it is your responsibility to comply with the provisions of this Code.
- (2) You are a representative of this authority and the public will view you as such therefore your actions impact on how the authority as a whole is viewed and your actions can have both a positive and negative impact on the authority.
- (3) The public expect Members to act in an open and transparent manner.
- (4) In this Code –

**‘Meeting’** means any meeting of:-

- (a) The authority;
- (b) The executive of the authority;
- (c) Any of the authority’s, or its Executive’s, committees, sub-committees, joint committees joint sub committees or area committees;

**‘Member’** includes all Members and co-opted and appointed Members of the authority.

**‘Family’** means Spouse, Civil partner, any person with whom you are living as a Spouse or Civil Partner, parent, grandparent, child, grandchild or sibling.

**(2) General Obligations**

- (1) You must treat others with respect.
- (2) You must not bully any person.
- (3) You must not conduct yourself in a manner that could reasonably be regarded as bringing your office or authority into disrepute.
- (4) You must not disclose information given to you in confidence by any one or information acquired by you which you believe, or ought to be aware, is of a confidential nature, except where :-
  - (1) You have the consent of the person authorised to give it;
  - (2) You are required by law to do so;
  - (3) Disclosure is to made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
  - (4) The disclosure is:-
    - (a) Reasonable in the public interest; and
    - (b) Made in good faith and in compliance with the reasonable requirements of the authority; and
    - (c) You have consulted the Monitoring Officer prior to its release.
- (5) You must not prevent another person from gaining access to information to which that person is entitled by law.

- (6) You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person an advantage or disadvantage.
- (7) When using or authorising the use by others of the resources of the authority you must:-
  - (1) Act in accordance with the authority's reasonable requirements.
  - (2) Ensure that such resources are not used improperly for political purposes (including party political purposes).
  - (3) Have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

### **(3) Registration of Interests**

- (1) You must before the end of 28 days beginning on the day on which you become a Member of the authority or within 28 days of any change in an interest or becoming aware of any new interest notify the Monitoring Officer of:
  - (i) Your interests falling within the categories set out below:-
    - (a) Pecuniary Interests
    - (b) Bodies to which you are appointed or nominated by the authority (i.e. outside body appointments).
    - (c) Bodies exercising functions of a public nature of which you are a Member (including regional and local development agencies, other (parish) councils, public health bodies, school governing bodies).
    - (d) Bodies directed to charitable purposes of which you are a Member (including the Lions, the Masons, a Parochial Church Council; not just bodies registered with the Charity Commission).
    - (e) Bodies whose principal purposes include influence of public opinion of policy (including any political party or trade union) of which you are a Member.
    - (f) Any employment or business carried on by you (including any voluntary work undertaken).
    - (g) Any person or body that has employed or appointed you (including any organisations that have appointed you to an office, for example as a Magistrate or Board of a Government Agency).
    - (h) Any person or body, other than a relevant authority who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties (including political parties/local political associations).
    - (i) Any person who has a place of business or land in the authority's area and in which you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued shared capital (whichever is the lower) (including stocks, shares, bonds or options).
    - (j) Any contracts for goods, services or works made between the authority and you or a firm in which you are a partner, a company of which you are a remunerated Director or a company or body specified in paragraph (i).

- (k) Any person from whom you received in your capacity as a Member a gift or hospitality that amounts to the value of at least £25.
- (l) Any land in the authority's area in which you have a beneficial interest (including your home and business addresses and other properties/land that you own, rent or use).
- (m) Any land where the landlord is the authority and you are, or a firm of which you are a partner, a company of which you are a remunerated Director or a person or body of the description specified in paragraph (i) is, the tenant (including allotments where the Council owns the land).
- (n) Any land in the authority's area for which you have a license (alone or jointly) to occupy for 28 days or longer (including an allotment).
- (o) Any person employed by the authority who is a member of your family.

(ii) The interest of your:-

- (a) Spouse or civil partner.
- (b) Any person with whom you are living as husband or wife.
- (c) Any person with whom you are living as if they were a civil partner

falling within the categories below:-

(aa) Pecuniary interests.

- (2) You need only notify the Monitoring Officer of any interests of which you are aware pursuant to paragraph (3) (1) above.
- (3) Where you become a Member of the authority as a result of a re-election or reappointment you only need to disclose interests not already entered on the register.
- (4) Where the nature of the interest is such that you consider that the disclosure of the interest could lead to you or a person connected with you being subject to violence or intimidation, (and the Monitoring Officer agrees) details of the interests will not be included in any published version of the register of interests save that the register will state you have an interest the details of which are withheld under section 32(2) of the Localism Act 2011.

#### **(4) Non - Pecuniary Interests**

- (1) You have a non pecuniary interest in any business of the authority where either it is likely to affect any of the bodies listed in paragraph 3(1)(i) (b) to (o) of the Code or, the decision in relation to that business might reasonably be regarded as affecting your well being, or financial position, or the well being or financial position of a relevant person to a greater extent than the majority of other Council tax payers, rate payers or inhabitants of the Ward affected by the decision.
- (2) A relevant person is:-
  - (a) A member of your family or any person with whom you have a close association, or
  - (b) A person or body who employs or has appointed such persons any firm of which they are a partner or any company of which they are Directors.

- (3) Where you have a non-pecuniary interest in any business of the authority and you attend a meeting of the authority at which that business is considered you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent.
- (4) Sub paragraph (3) only applies where you are aware or ought reasonably to be aware of the existence of the interest.
- (5) Where you have an interest but by virtue of paragraph 3 (4) it is not registered in the authority's register of interests you must indicate you have a non –pecuniary interest but need not disclose the sensitive information to the meeting.

**(5) Pecuniary Interests**

- (1) You have a pecuniary interest in any business of the authority where you have an interest that falls within sub paragraphs (3) (1)(i) (a) or (3)(1)(ii) above.

**(6) Effect of Pecuniary Interest on participation**

- (1) Where you have a pecuniary interest in any business of the authority and you attend a meeting at which the business is considered you must then:-
  - (a) Disclose the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent. Subject to sub paragraph (c) below.
  - (b) Retire to the public gallery of the room or Chamber where the meeting considering the business is being held.
  - (c) If the pecuniary interest is a sensitive interest as set out in sub paragraph (3) (4) above you need only disclose the fact that you have a pecuniary interest.