

## ETTON PARISH COUNCIL

11TH SEPTEMBER 2012

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

Ward Councillor Pollard and J Smith, Clerk were also present.

Members of the public – Nil

The meeting was held at the Village Hall, Etton.

An apology for absence was submitted from Councillor Holmes.

**91/12 DECLARATIONS OF INTEREST** – There were no declarations.

**92/12 MINUTES - Resolved** – That the minutes of the meeting held on 10th July 2012 having been circulated be approved as a correct record and signed by the Chairman.

### MATTERS ARISING FROM THE MINUTES

**93/12 Planning Appeal - Land North East of Manor Farm, Warter Lane - Erection of 2 No. 50kw Wind Turbines** – Further to Minute 75/12 it was reported that a decision on the appeal was still awaited. **Resolved** – That the report be noted.

**94/12 Local Grants Fund/Severe Weather Grant Assistance Scheme 2011/12 and 2012/13** - Further to Minute 76/12 clarification was sought as to the Council's intentions regarding the proposed provision of a storage facility for pallets of sandbags and salt on the car park of the Light Dragoon Inn. It was reported that the Landlord had indicated that he was willing to allow the store to be sited on the car park. Councillors confirmed that the store was intended for sandbags for use in an emergency. It was also reported that the downpipe on the bus shelter had become detached from the gutter. **Resolved** – (a) That quotations be invited from three local contractors for the provision of storage facility for pallets of sandbags on the car park of the Light Dragoon Inn subject to any necessary planning/conservation area consent; (b) that Ward Councillor Pollard enquire whether East Riding Council is able to provide the Parish Council with a supply of sandbags and (c) that the contractor installing the new commemorative seat be asked to re-fix the drainage down pipe on the bus shelter.

**95/12 Condition of Telephone Kiosk** – Further to Minute 77/12 it was reported that BT had confirmed that the kiosk was to be painted before the end of October 2012. **Resolved** – That the report be noted.

**96/12 The Queen's Diamond Jubilee Celebrations June 2012 – Commemorative Bench** Further to Minute 79/12 it was reported that the new bench would be delivered on 14th September 2012 and that immediately prior to this meeting the Clerk and the Chairman had visited Warter Road and agreed a location of the bench that was to be re-positioned, subject to the approval of the highway authority. **Resolved** – That the report be noted.

**97/12 Planning Applications - 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).** Councillor Boyd commented on Minutes 81/12 and 82/12. The Clerk confirmed that the Council had only taken into account planning considerations when considering the applications. **Resolved** – That the report be noted.

**98/12 Routine Matters – Pothole outside 115 Main Street** – Further to Minute 90/12 East Riding Council had indicated that they would inspect the site and arrange for any necessary works to be carried out. **Resolved** – That the report be noted.

**99/12 Routine Matters – Grass Cutting** – Further to Minute 90/12 Ward Councillor Pollard reported on the response she had received from East Riding Council to the concerns regarding the non sweeping of grass cuttings. A Councillor reported that on the last occasion the contractors had used strimmers for certain areas and the result had been much better. Ward Councillor Pollard undertook to feedback the comment to East Riding Council. **Resolved** – That the report be noted.

**100/12 PLANNING APPLICATIONS** – There were no items.

**101/12 South Wolds School, Chantry Lane, Etton - Erection of 2 No Dwellings, Access Roads and Associated External Amenity Areas Following Demolition of Former School Buildings and Headmaster's House (Resubmission Of 11/03326) (Ref 12/01747)** – Further to Minute 81/12 Ward Councillor Pollard reported that this application was due to be considered by the Planning Committee on 13th September 2012, having been recommended for approval by the Eastern Area Planning Sub-Committee. Councillors reminded Councillor Pollard of the comments submitted by the Parish Council that any developer of the site should be required to ensure that all contractors' vehicles going to and from the site shall only use Chantry Lane from the direction of its junction with the B.1248 and not from the direction of Etton village and also that the carriageway of Chantry Lane should be widened. Councillor Pollard undertook to check that the Parish Council's comments were mentioned in the Committee report. **Resolved** – That the report be noted.

**102/12 LOCALISM ACT 2011 – CODE OF CONDUCT** – A report was submitted, further to Minute 80/12 drawing attention to a letter from East Riding Council dated 2nd August 2012 enclosing an updated version of that Council's Code of Conduct. Attention was also drawn to a subsequent email from the Monitoring Officer, East Riding Council attached to the report enclosing correspondence with the Minister of State for Local Government regarding concerns expressed by some Parish Councillors over the requirements to register pecuniary interests of their spouse or partner and the requirement for the register of interest to be available for inspection on the website of East Riding Council. The correspondence also included a guide entitled "Openness and transparency on personal interests - A Guide for Councillors". Councillors re-iterated their previous view that in the interests of transparency and good governance any Member declaring a pecuniary interest at a meeting must leave the room for the consideration of the item in which the interest arises. **Resolved** – (a) That notwithstanding the decision at its meeting on 10th July 2012 (Minute 80/12 refers), the Parish Council agrees that subject to paragraph 6(1)(b) being amended to read "In the interests of transparency and good governance leave the room for the consideration of the item(s) in which the interest arises.", the Code of Conduct, as approved by East Riding of Yorkshire Council on 25th July 2012 and set out in the Appendix to these minutes be adopted; (b) that notice of the adoption of the revised Code be published on the Council's Notice Board; (c) that the decision of the Parish Council be also forwarded to the Monitoring Officer, East Riding Council, and (d) that the correspondence from the Monitoring Officer and the Councillors' Guide be noted.

*(Ward Councillor Pollard left the meeting).*

#### **CONSULTATION DOCUMENTS**

**103/12 Humberside Fire Authority – Draft Vision for 2020 and Integrated Risk Management Plan for 2012-15** – A copy of the consultation documents was submitted. **Resolved** – That the information be received.

**104/12 East Riding of Yorkshire Council – Resolved** – That the following consultation documents be received:

- (i) Draft Empty Homes Strategy
- (ii) Draft Older People's Housing Strategy
- (iii) Draft Housing Strategy for Vulnerable People

**105/12 National Grid – Yorkshire and Humber Carbon Capture, Transportation and Storage Project** – Further to Minute 88/12 a consultation feedback reminder dated 17th August 2012 was submitted. **Resolved** – That the information be received.

**106/12 East Riding and Hull Maternity Services** – An email from North Yorkshire and Humber NHS Communications and Engagement Service dated 25th July 2012 was submitted drawing attention to a consultation on a review of the East Riding and Hull Maternity services. The closing date for comments was 1st October 2012. A Councillor referred to the new hospital at Swinemoor Lane, Beverley and commented that he had been unable to obtain a leaflet explaining what services were available at the hospital and suggested that it would be helpful for the public to know. **Resolved** – (a) That the consultation document be received, and (b) that the hospital be asked for an explanatory leaflet of the services it provides.

**107/12 ACCOUNTS 2011/12** – A copy of the Annual Return for the year ended 31st March 2012 was submitted indicating that the External Auditor had issued a certificate and opinion that the Council's Annual Return was in accordance with the Audit Commission's requirements and there were no matters giving cause for concern that relevant legislation and regulatory requirements had not been met. **Resolved** - That the report be noted.

**108/12 AUDIT COMMISSION – APPOINTMENT OF EXTERNAL AUDITOR** – The Commission had confirmed the appointment of Littlejohn LLP as the Council's External Auditor for five years from 2012/13. **Resolved** – That the report be noted.

**109/12 ACCOUNTS – Resolved** - (a) That it be noted that the following income had been received since the last meeting:

	£
ERYC – Recycling income	209.10
Natwest Bank - Interest	0.75

(b) that the following payments be approved:

	£
(i) J Smith (Clerk's Salary – July/September 2012 (£198.00); Office Allowance (£25.00) Printer cartridge (£7.79) and renewal of parish website addresses £40.78)	271.57
(ii) HMRC – (PAYE)	49.50
(iii) St Mary's Church, Etton PCC (recycling income)	104.55
(iv) Etton Village Hall Management Committee (recycling income)	104.55
(v) RBL Poppy Wreath – (wreath £17, donation £8)	25.00
(vi) Audit Commission – Audit Fee	144.00

(c) that approval be given to the payment of the following accounts when an invoice is received:

	£
(i) RBS Invoice Finance Ltd re Cyan – Supply and delivery of a commemorative bench	489.99
(ii) C Beal – Installation of new bench and relocation of existing bench	300.00

and (d) that the thanks received on behalf of the Village Hall Committee and Etton St Mary's Church PCC for the recycling income grant be noted.

**110/12 MEETING WITH BEVERLEY RURAL WARD MEMBERS** – Members were reminded that the next meeting would be held on 27th September 2012. **Resolved** – That the report be noted.

**111/12 CORRESPONDENCE – Resolved** – (a) That the following correspondence be received:

- (a) East Riding of Yorkshire Council
- (i) Proposed Beverley Market Place Improvements – Email from Councillor Hemmerman (submitted)
  - (ii) Re Broadband Funding – Letter from Ward Members dated 1st August 2012 (submitted)
  - (iii) Parish News – August 2012 (circulated separately).
  - (iv) Beverley and Rural Area Community Partnership – Agenda for 22nd August 2012.
  - (v) Voluntary sector information evening, Cottingham on 18th September 2012.
  - (vi) Joint Local Access Forum Agenda 12th September 2012
- (b) Humberside Police – Parish/Town News Release - Beverley Rural Update for July 2012
- (c) CPRE – Countryside Voice Magazine Summer 2012
- (d) Clerks & Councils Direct September 2012

**112/12 ROUTINE MATTERS** – The following matters were discussed briefly:

- Accident on B1248 Road near Chantry Lane junction – That East Riding Council be asked to review the need for double white lines in the interests of road safety.
- Tarmac breaking on footpath outside 104 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) The following **Pecuniary Interests** of yourself, your spouse or civil partner, any person with whom you are living as husband or wife or any person with whom you are living as if they were a civil partner:
    - (a) Any employment, office, trade, profession or vocation carried on for profit or gain.
    - (b) Any payment or provision of any other financial benefit (other than from the authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
    - (c) Any contract which is made between any of the above named persons (or a body in which any of the above named persons have a beneficial interest) and the authority under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.
    - (d) Any beneficial interest in land which is within the area of the authority.
    - (e) Any licence (alone or jointly with others) to occupy land in the area of the authority for a month or longer.
    - (f) Any tenancy where (to your knowledge) the landlord is the authority and the tenant is a body in which any of the above named persons have a beneficial interest.
    - (g) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of the authority; and either the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which any of the above named persons has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

- (ii) The following **Non-Pecuniary** interests of yourself:
  - (a) Bodies to which you are appointed or nominated by the authority (ie outside body appointments).
  - (b) 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).
  - (c) 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).
  - (d) Bodies whose principal purposes include influence of public opinion of policy (including any political party or trade union) of which you are a Member.
  - (e) Any voluntary work undertaken by you.
  - (f) 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.
  - (g) Any person employed by the authority who is a member of your family.
- (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 re-appointment 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)(ii) 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, your spouse or civil partner, any person with whom you are living as husband or wife or any person with whom you are living as if they were a civil partner have an interest that falls within sub paragraph (3)(1)(i) 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.~~ *In the interests of transparency and good governance leave the room for the consideration of the item(s) in which the interest arises.*
  - (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.

**Approved and adopted by Eton Parish Council on 11th September 2012 (Minute 102/12)**