

# NEWTON on the MOOR & SWARLAND PARISH COUNCIL

Minutes of the meeting of the Parish Council held at 7.00pm  
on **Wednesday 22<sup>nd</sup> June 2016** in Swarland Village Hall.

1.	<b>Public Question Time (Max 15 minutes in total) – None.</b>	<b>Action</b>
2.	<p><b>Present:</b> Cllr D. Francis (Chairman) Cllr G. Anderson, Cllr Mrs S. Stanley, Cllr R. Ryan, Cllr Ms S. Spurling, Cllr R. Brotherton, Cllr Mrs H. Handyside, Cllr G. Cunningham.</p> <p>The Clerk was in attendance.</p>	
3.	<p><b>Apologies</b> - Cllr Mrs S. Richardson and Cllr N. Mansfield.</p>	
4.	<p><b>Declarations of Interest in items on the agenda – None.</b></p>	
5.	<p><b>Minutes of the meeting held on 27<sup>th</sup> May 2016 – Agreed.</b> Cllr Francis thanked Cllr Ryan for chairing the May meeting.</p>	
6.	<p><b>To consider matters arising from the meeting on 27<sup>th</sup> May 2016.</b></p> <p>a. <u>Review of Parish Boundary</u> – Decision needed on detail of request to be made (if any) to NCC for parish boundary changes. Cllr Francis summarised action taken with item in The Column, and letters/survey to residents from east of A1 in the Parish. Three responses from residents happy with current situation. It was agreed that a letter would be sent to NCC requesting a community governance review with reference to map (Appendix 1) – yellow shaded area to NotM &amp; S PC, the blue shaded area to Felton PC. Cllr Francis and Clerk to write letter and copy to Felton PC. Info to go to properties in the yellow shaded area.</p> <p>b. <u>Condition of southern road from Newton on the Moor to A1</u> – The Clerk had contacted Aone who confirmed ‘bell mouth’ at the entrance/exit to A1 was not being repaired as part of the current works. It is however, part of works to be done in February 2017. Regarding area of road which is responsibility of NCC, an order has been issued to carry out surface repairs. Clerk to advise Mr Rixon.</p> <p>c. <u>First Aid Training Request for contribution from Parish Council (Cllr Handyside)</u> – Cllr Handyside said that there had not been enough take up from volunteers for the course therefore no contribution now needed.</p> <p>d. <u>Speeding and safety issues on roads in Newton on the Moor</u> – Cllr Ryan said he had contacted NCC Road safety people again, speed survey to be done in 6-8 weeks. Has got the petition that has been submitted by some residents of NotM asking for one way system. Cllr Brotherton suggested that there might be some historic information. Cllr Cunningham suggested problem would be helped if cars could be parked off road – suggested land with substation etc on it. Clerk to find out land ownership.</p> <p>e. <u>Repair of Bench in Newton on the Moor and brick planter in The Square, Swarland. (Cllr Anderson).</u> – Cllr Anderson said he had the wood for repairs. Works will be done before the next meeting.</p> <p>f. <u>Other matters</u> – The Clerk had sent an email to NCC Planning/Highways officers to arrange meeting to discuss road conditions in Swarland. Cllr Brotherton asked for a formal letter to be sent to David Laux and agreed to draft it – agreed. Cllr Ryan has reported a number of matters to NCC (i. Park Road pothole next to tree, ii. surface water reported by Mrs Vaggs on Old Park Road, iii. Kenmore Road, condition of road raised as a danger issue iv. A1 diversion on B6345 – spoke to Vicki Henderson at Aone to say road not suitable for diversion, but Aone say it is not their responsibility. v. Road signs causing visual obstruction on A1 diversion – now removed. vi. Many of the diversion signs are wrong. Cllr Ryan urged residents to report issues and near miss accidents. Cllr Ryan to contact MP. Cllr Cunningham said he had observed grain wagons travelling on the old A1 north past the Cook and Barker Pub. Old A1 is totally unsuitable for vehicles of this size.</p> <p>Resignation of Cllr Heal – members expressed their appreciation of Cllr Heal. It was now</p>	<p>Cllr Francis &amp; Clerk</p> <p>Clerk</p> <p>Clerk</p> <p>Cllr Anderson</p> <p>Cllr Brotherton</p> <p>Cllr Ryan.</p>

# NEWTON on the MOOR & SWARLAND PARISH COUNCIL

	<p>necessary to select a new Liaison with Percy Wood. Cllr Stanley volunteered –agreed.</p>	
<p><b>7. Requested agenda items</b></p>	<p>a. <u>Vyner Park update (Councillor Stanley/Councillor Brotherton)</u> – Cllr Stanley said that the AGM for the Vyner Park Charity was now planned for 13<sup>th</sup> July 2016 subject to having enough Parish Cllrs on the Management Cttee. Cllr Brotherton said he was finishing off some loose ends outstanding from his Chairmanship of the VPC. <u>Sport England</u> are being very supportive, and have suggested that the PC and VPC make an agreement about what will happen in the future, and that if further changes are wanted at Vyner Park that we should consult them. A letter had been sent to Sport England a few days ago, and VPC is now waiting for them to come back with a proposal. <u>Lease</u> – Cllr Brotherton met with Cllr Francis to discuss. Parish Council will need to grant the VP Charity a lease for Vyner Park. Cllr Brotherton summarised the current position as follows; Currently the PC is the sole managing trustee of the VPC. The VPC is a registered Charity and has an agreed constitution, and the PC has delegated the day to day management of VP to the VP Management Committee which consists of 5 Parish Cllrs and 4 Community Members. The Parish Clerk is the secretary/Treasurer and Cllr Anderson is the Park Steward. Nelson’s operates under a licence and does things to support VPC. The lease needs ‘Holding Trustees’ to sign on behalf of the charity and vest in the hands of the official custodian. The Holding Trustees do not have any management responsibilities. The lease would be signed by Cllrs Francis and Ryan on behalf of the PC as lessor. Cllr Handyside and Cllr Brotherton agreed that they would act as the VPC’s holding trustees in order to sign the lease for the Charity, but they subsequently apply to vest this in the official Custodian.(More detail is provided in the document attached as Appendix 2). <u>Other Matters</u> – Members were very sorry that Becky Bagnall has decided to close the Shepherds Hut. It was a great effort. Cllr Brotherton and Steward have done the annual site inspection so there will be various actions to come from this. Cllr Handyside will have to do a handover to the Secretary of finance matters. Clerk to check up on Charity Commission requirements for VP annual return/accounts. Cllr Francis thanked Cllr Brotherton and Cllr Handyside for their work with the Vyner Park Charity.</p> <p>b. <u>Nominations for the VPC Management Committee</u> – Five Parish Councillors are needed for the PC Management Cttee but they are not needed at every meeting (three needed for meetings to be quorate). Due to resignations of Cllr Heal from the PC, and Cllrs Brotherton and Handyside from the VPC Management Cttee, there are currently only Cllrs Ryan and Stanley. It would be possible to change the VPC Constitution but Cllr Spurling advised against to keep things as they are. Cllr Cunningham and Spurling agreed to join the VPC Management Cttee. Cllr Stanley said she would speak to Cllr Mansfield about his potentially being the 5<sup>th</sup> Cllr. This may be something that the new Parish Cllrs might take on.</p> <p>c. <u>Advertising the two current vacancies for Parish Councillors</u> – The Clerk said that following the resignations of Cllrs Sells and Heal, the Statutory Notices had been put up on the Parish Notice Boards and website, and NCC advised. Cllr Francis said that it was likely that the Parish Council would be able to co-opt two casual vacancies at the next meeting and invited suggestions on what qualities would be needed;</p> <ul style="list-style-type: none"> <li>• Willing to be on Vyner Park Management Committee.</li> <li>• One vacancy to cover Swarland</li> <li>• Once Vacancy to cover NotM and east of A1.</li> </ul> <p>d. <u>Agreement of PC Accounting statements for 2015/16</u> – previously circulated.</p> <ul style="list-style-type: none"> <li>• Note the £500 expenditure for Column is offset by contribution from SVA.</li> <li>• Nominal value of £1.00 shown for Pavilion as not purchased by PC (on asset register). Make the purchase cost ‘zero’ also.</li> <li>• Planter on the asset register is outside the 1<sup>st</sup> school.</li> <li>• Add Swarland Bus Shelter 2010 value £1.00.</li> <li>• Cllr Francis went through section 1 of the BDO return item by item – all agreed.</li> </ul> <p>e. <u>Northumberland Local Plan Core Strategy: Pre-Submission Draft</u> – Proposed Major Modifications Consultation. Cllr Francis has been through hard copy. Main issue he can see is affordable housing which might now be applicable to Swarland due to presence of the caravan park. Cllr Francis and Clerk to contact NCC Planning about this.</p>	<p>Clerk</p> <p>Cllr Stanley</p> <p>Clerk</p> <p>Cllr Francis/Clerk</p>

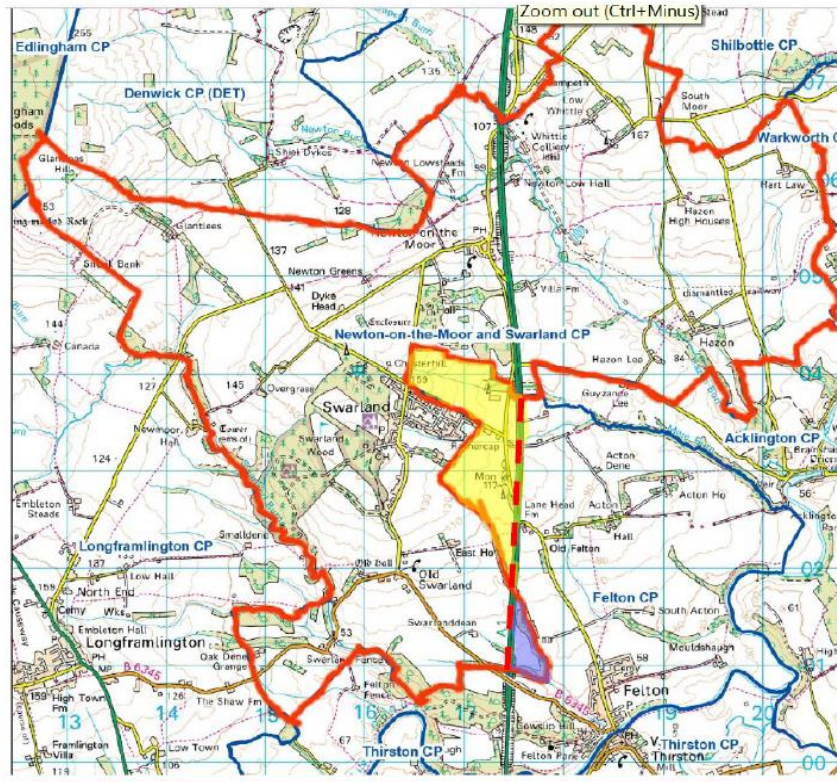
# NEWTON on the MOOR & SWARLAND PARISH COUNCIL

<b>8.</b>	<b>Report by County Councillor and meetings attended by Councillors – None.</b>	
<b>9.</b>	<p><b>Finance</b></p> <ul style="list-style-type: none"> <li><b>a.</b> Bank statements – Lloyds Treasurers Account £20,584.33 @ 27/5/2016 &amp; Lloyds Instant Access £16,011.59@ 13/5/2016.</li> <li><b>b.</b> Clerk's salary (for June 2016) £334.29 Clerk's expenses £4.05 HM Revenues &amp; Customs PAYE (For June 2016) - £66.80 Payment to Clerk = £334.29+ £4.05 - £66.80 = £271.54 Payment to HM Revenues &amp; Customs PAYE - £ 66.80</li> <li><b>c.</b> Other receipts and payments: <ul style="list-style-type: none"> <li>i)Receipts: Swarland Village Action (The Column) £62.50.</li> <li>ii) Payments: Zurich Municipal Insurance Payment for 2016/17 – £1151.54. Payment for printing of 'The Column' in 2016/17 – not to exceed budget of £500 payments agreed for 2016/17. Repayment to NCC for Birthday Commemorative medals Swarland 1<sup>st</sup> School &amp; Nursery - £184.61 All the above were agreed.</li> </ul> </li> </ul>	
<b>10.</b>	<p><b>Planning</b></p> <p><b>a. To report on any planning decisions made by NCC (as at 17 June 2016):</b> 16/01606/FELTPO Tree Preservation Order Application to Fell two larch trees (Tree G and tree M) in order to gain safe access to remove dangerous tree. 3 Beechcroft, Swarland, Morpeth NE65 9HA – Comments invited until 7<sup>th</sup> June 2016 – Granted Permission 10/6/2016. Comment was made at the meeting that it is essential to retain trees especially Larch and Pine for Red Squirrels. PC needs to make sure that conditions are being applied and enforced. Query about TPO's in Parish – These can be obtained from NCC.</p> <p>16/01114/FELTPO Tree Preservation Order: TG1 - Fell 1no. dead Cypress tree; T5 - Remove 1no. Rowan tree and replace; T6 - Cherry - Sever and strip Ivy and remove deadwood; T14 - Fell and replace 1no. Lime tree; T18 - Fell and replace 1no. Cypress tree; T20 - Fell and replace 1no. Silver Maple; T22 - Oak - Remove deadwood including that to Western side of crown; T24 - Oak - Remove long extending branch; T25 - Oak, T28 - Ash, T30 - Beech, and T37 - Scots Pine - sever and remove ivy to allow closer inspection; T27 - Oak - Crown lift to above 6m and remove deadwood; T42 - Fell and replace Cherry tree; Generally clear brambles and other vegetation around trees in areas TG3, TG4, TG5 and woodland strip adjacent to Leamington Lane 5 Studley Drive Swarland Morpeth Northumberland NE65 9JT - Comments made by PC. Permitted 26/5/2016.</p> <p>15/03181/FUL Construction of two detached dwellings with freestanding garages on land south of Ryan Leigh, NotM. Objection made by PC. Application Permitted 4/5/2016.</p> <p><b>b.Applications pending decision by NCC</b> 14/02284/OUT - Residential development of detached houses with access road and turning area to enable vehicles to enter and leave onto Percy Drive in a forward facing direction. Provision of widened vehicle access to improve vehicle passing on Percy Drive. – Objections made by PC.</p> <p>15/02656/FUL – Demolition of existing indoor riding arena and outbuildings and erection of 15no residential units with associated garages and alterations to existing private access road – Land west of Swarland Equestrian Centre, Old Park Road, Swarland. – Comments made by PC</p> <p>Revocation of previous Tree Preservation Order and Notice of making a replacement Tree Preservation Order (No 04 Of 2016) by Northumberland County Council – Land at Leamington Lane, The Avenue and the Park, Swarland. – Supported by PC.</p> <p>16/00930/LBC Listed building consent for removal of an internal wall – the West Wing, Newton Hall, Road to Newton Hall, Newton on the Moor. PC had no objections.</p> <p>16/ 01443/FUL Proposed new detached dwelling and associated works. Land South Of 8 Nelson Drive Swarland NE65 9JR Comments invited until 26<sup>th</sup> May 2016.</p>	

# NEWTON on the MOOR & SWARLAND PARISH COUNCIL

	<p><b>c.Planning matters for Parish Council to consider</b>                  16/01808/FUL Retention of existing site hut used for construction of adjacent new dwelling, for use as garden shed. Land West of 1 Studley Drive Studley Drive Swarland NE65 9JT. Comments invited until 29th June 2016.</p> <p>14/03340/FUL - APPEAL TO SECRETARY OF STATE - Development of 20 houses etc - Land North of Field House, Leamington Lane, Swarland. NOTE – This application relates to land within Felton Parish. Any additional comments are requested in writing by 30<sup>th</sup> June 2016.</p>	
11.	<p><b>Correspondence</b>                  NCC Consultation on Proposals for Alternative Household Waste Recovery Centre Opening Arrangements – previously circulated. Comments invited until 5<sup>th</sup> August 2016 – Noted.</p>	
12.	<p><b>Urgent items</b> – None.</p>	
13.	<p><b>Requests for next agenda</b>                  a. Community Speedwatch Scheme (Cllr Ryan).</p>	
14.	<p><b>Date of Next Meeting</b> to be held on 27th July 2016 Jubilee Hall, NotM, 24/8/2016 SVH, 28/9/2016 JH, 26/10/2016 SVH, 23/11/2016 JH, no meeting December 2016.</p> <p>Meeting finished at 20.45.</p>	

## APPENDIX 1



Proposed change to boundary of the Parish of Newton on the Moor & Swarland (shown as red dashed line)



- To NotM&S PC
- To Felton PC

Proposed change to boundary amended following PC meeting 25/5/2016.

### HOW THE VYNER PARK CHARITY IS SET UP

#### **The Parish Council as “Sole Managing Trustee”**

The Vyner Park Charity is unusual in that rather than having a number of individuals as trustees, the Parish Council is the “Sole Managing Trustee”. How it operates is set out in its constitution and what it does is defined in its “Objects” within that constitution.

The Charity Commission have agreed the constitution and registered the Charity.

Ultimate responsibility for the operation of the Charity lies with the Parish Council. That covers things like risk management, health and safety, safeguarding, paying Bills, accounts etc.

No individual people are responsible, liability falls on the Parish Council as a whole.

#### **The Vyner Park Charity Management Committee**

The Parish Council delegates the day to day management responsibility of the Vyner Park Charity to the Vyner Park Management Committee (VPCMC). This is in effect a committee of the Parish Council and is made up of five parish councillors and up to four members of the community. The operation of the VPCMC is as set out in its terms of reference.

The VPCMC develops and agrees a plan and budget with the Parish Council as a Whole in the autumn, and then delivers that plan over the following year.

The VPC Secretary/Treasurer and Park Steward are paid positions and they work under the direction of the VPCMC.

#### **Nelson’s in the Park**

Nelson’s operate as a separate business under their own direction but within the Terms and conditions of a licence agreement, which includes the provision of a number of services on behalf of the Vyner Park Charity.

#### **Lease agreement between the Parish Council and the Vyner Park Charity**

Granting a lease to the Vyner Park Charity achieves the necessary legal separation between the Parish Council and the Vyner Park Charity, This also allows the Charity to carry out its activities in Vyner Park. Due to the Vyner Park Charity having the Parish Council as the “Sole Management Trustee” the Parish Council cannot enter into a lease with itself. Two holding trustees are needed to sign the lease on behalf of the Vyner Park Charity/VPCMC/ the holding trustees will be Robert Brotherton and Helen Handyside. David Francis and Bob Ryan will sign on behalf of the Parish Council.

The holding trustees have no management responsibilities/liabilities, those sit with the Parish Council as the “Sole Management Trustee”. Once the lease is signed the holding trustees have the last of vesting the lease with the “Official Custodian” which is a department within the Charity Commission. This is done using a “vesting order”. Once the lease is vested, the holding trustees have no other function or responsibilities.

28 June 2016.