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# Minutes of the Ordinary Meeting of Heworth Without Parish Council held on MONDAY 28<sup>th</sup> APRIL 2025 held at 7.06PM in the Heworth Without Community Centre on Applecroft Road, Heworth, York. To be approved at HWPC meeting to be held 19/05/2025.

#### Present:

Councillor M Starkey (Chair), Councillor A Basu (Deputy), Councillor N Ayre (left 20.35), Councillor A Garbutt, Councillor E Hardy, Councillor A Harrison, Councillor D Harrison, Councillor K Last, Councillor S Phoenix (left 20.35) and Gayle Enion-Farrington (Clerk / RFO). Members of the public, R Barker, R Clayton, J Ferrari, D Gibbon, J Hitchins, P McCarthy, T McDermott, D Phoenix, T Pool, H Pool, T Questa, E Questa, L Slate. (some members of the public left during the meeting after public participation section and the rest left after the vote on MUGA at 8.35pm).

#### 55/2025. Apologies:

a. To Receive Apologies and Consider and Approve Reasons for Absence
 All present - Apologies were received from Cllr N Ayre and Cllr S Phoenix who sated due to ongoing health issues they would have to leave the meeting early

**Chair, CIIr Mel Starkey** stated that the discussion regarding the MUGA at the Annual Parish Meeting can continue in agenda item 57/2025. Reconfirmed that meeting would be recorded (audio only) by CIIr E Hardy for their own records and one member of the public declared they would be using an audio transcript app on their own mobile. All was accepted.

#### 56/2025. To Note any Declarations of Interest:

- a. To receive any declarations of interest not already declared under the Council's Code of Conduct or a member's Register of Disclosable Pecuniary Interests.
   *It was Reported* by Cllr Mel Starkey and Cllr A Garbutt that they have recently joined the cooperative party and new updated ROI's are on the HWPC website.
- b. To receive, consider and decide upon any applications for dispensation. *None*

# 57/2025. Public Participation:

# Members of the public who wish to speak regarding an item within the remit of the Parish Council may do so.

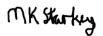
#### PLEASE NOTE: Total time limit for this item is 30 minutes, each speaker limited to a 5-minute slot.

**Clir N Ayre - HW Ward Councillor -** Its deeply worrying that a member of this parish council attempted to prevent me from attending tonight, not lawful. I have been asked to attend this meeting to represent many residents who use the facilities. It is the job of the parish council to represent the views of its residents. The parish made no attempt to consult of engage with the public. The community has been consulted (by CYC) 263, responded to survey 80% supported a MUGA in the Heworth Without Ward.

40 who responded were under 16 years old, Hempland school conducted a survey of Key Stage 2 pupils and not one child supported doing nothing. In the last week 100 people have signed a ward petition in favour of the MUGA.

Unusable goals mouths at the time – Cllr Ayre quoted back in 2009 Cllr S Starkey suggested astroturf. Over 16 years this has been looked at the community, each parish councillor listened to the residents Maintenance cost, drainage cost and impact on residents nearby and there is no evidence that these will be any issues – HWPC has installed the climbing rocks and gym equipment. All of these projects would have been blocked for those that are against the proposal now – it would be a travesty.

The parish council's own stated preference for a standalone tarmac basketball area was approved despite all the issues presented against this proposal being present. All drawings are available for a MUGA and could have been shared, no fencing and lighting it's an artificial surface and multiple goal ends, with no Basketball end backing onto the houses, just at the other end.



**Mr R Clayton** (public) - For years I had the privilege of chairing HWPC. For a year or two whilst I was Chair we had to deal with Nigel's MUGA, now wishing to call it a games /sports Haven. While we are discussing it, there were always illustrated images with Nigel standing in a puddle on the field complaining and referring to a MUGA instead. There were advantages and disadvantages. At this time CYC launched an online survey in Dec 2022 – unfair and unjust a kin – we are not going to give you the chance of saying you don't want a MUGA - you are going to have it in the ward. You can choose with one on Stray Road, behind Hempland School or somewhere else. That was a survey that reached far beyond the parish. HWPC felt that the parish needed to consider the disadvantages as we knew what the advantages were from Nigel's via the council. So, we issued a HWPC survey, hand delivered to every household in the parish and a questionnaire to complete with the various options (An A4 picture was waved in the air of the options). It was made clear that the disadvantages outweighed the advantages and asked people if they wanted a MUGA or not, there was an option to say yes on the vote. Disadvantages - technical - many sad stories of dilapidated damaged, scruffy MUGAs after a short period, a lot of feeling from those that had them that they were increasingly worse. 2<sup>nd</sup> was environmental and ecological. We asked the people of the parish and by a huge majority 5-1 of 80+ respondents. The only viable alternative given so it's quiet objective (ran out of time for speaking)

**Clir N Ayre** - As a point of clarity – that survey had to be withdrawn due to a photograph used where copyright wasn't sought before it's use. Also stated the 5:1 ratio was not correct.

**Clir Ayre** raised the issue about the gym equipment being relocated to outside the play area due to new legislation.

**Tony Questa** discussed the issue with increased ASB – still concerned that it will get worse on a night. If you go to the school - you don't live by the play area – of course you get a 100 yes's – it's not

representative. If you asked the local residents, you would get a different answer.

**T Pool** – We need another consultation and would be happy to deliver them

**J Hitchins** – I would like to make a request – this is a beautiful parish – any consultations going forward, that all members of the parish council work together and agreed them so we don't have one sided argument etc.

R Clayton – When Nigel objected to HWPC's consultation he was not a member of HWPC

T Pool - There is not sufficient information to give a definitive yes or no

R Clayton - The decision is to me taken by the elected representatives, by the Council.

Chair CIIr M Starkey - correct the decision will be made tonight

**Clir N Ayre** proposed to deal with the MUGA item on the agenda (66/2025bii) first, rather than waiting. **Clir S Phoenix** seconded. – 4 votes in favour of moving the agenda item forward and 5 against, keeping the agenda items in the order as stated on the published agenda.

Not carried - meeting continued

#### 58/2025. To Receive report from Councillor Nigel Ayre – Heworth Without Ward Councillor

It was Reported by Cllr N Ayre that he was not making a ward report tonight due to the stated reason that members of the public were waiting to hear the MUGA agenda item and should not be unduly inconvenienced.

#### 59/2025. Minutes

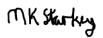
a. To Approve Minutes of the Ordinary Meeting of Heworth Without Parish Council held 17/03/2025.
 *It was Resolved* to approve said minutes as a true and accurate record of the Ordinary Meeting of Heworth Without Parish Council held 17/03/2025

#### 60/2025. Planning:

a. To Consider and decide upon the planning applications received since the last HWPC meeting

CYC Reference	Address	Description
25/00648/FUL	90 Burnholme	Two storey side extension and single storey rear extension
Eastings 462775	Avenue York	Approved
Northings 452687	YO31 0NB	

 b. To receive the following planning decision/information.
 *It was Reported* that the following planning has been Approved by CYC 86 Burnholme Avenue York YO31 0NB 25/00063/FUL Single storey rear extension



60 Allington Drive York YO31 0NN 25/00256/FUL Two storey side and single storey rear extensions 306 Stockton Lane York YO31 1JW Variation of condition 2 of permitted application 16/01154/FUL to alter the approved plans and elevations

*It was Reported* that the following planning has been **Refused by CYC** 93 Bramley Garth York YO31 0PQ Single storey front extension and conversion of garage to

habitable space 24/02274/FUL

- c. To Consider and decide upon any other planning related issues *None*
- d. To Consider and decide upon any planning enforcement issues *It was Reported* that CYC has implemented a Public Bridleways Heworth Without 1 and 2 Diversion Order 2025 near Cow Moor Farm / Stockton Lane. Relevant properties have been informed.

#### 61/2025. Finance:

a. To Approve payments as detailed in Appendix 1 for April 2025.

#### APPENDIX 1

#### HEWORTH WITHOUT PARISH COUNCIL INVOICES TO BE PRESENTED FOR PAYMENT April

2025

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<b>TOTAL £2,796.14</b> Total	Janie Uliuli	20/04/2023			£200.00		
	TOTAL				£2,796.14	Total	

#### CASH BOOK MONTH 12 MARCH 2024-2025

INCOME

DATE	VAT REFUNDS	ALLOTMENT RENT	BANK INTEREST	PARKS/OPEN SPACES	GEN. ADMIN.	TOTAL
C/FWD	1861.99	140.00	0.00	0.00	22665.00	24666.99
CYC Double Taxation					14082.03	14082.03
allotment rents		30.00				30.00
Allotment deposits					75.00	75.00
VAT REFUND					0.00	0.00
TOTALS	0.00	30.00	0.00	0.00	14157.03	14187.03
C/FWD	1861.99	170.00	0.00	0.00	36822.03	38854.02

*It was Reported* that the VAT refund of £1752.60 was paid into HWPC bank account of 11/4/25. *It was Resolved* to settle April's payments with immediate effect. In line with current financial regs all invoices and payments were checked and approved by **CIIr E Hardy** and **CIIr K Last**, signed off on the accounts and CIIr M Starkey and all other councillors approved at the meeting. CIIr M Starkey was appointed to approve all online banking payments this month

 b. To Approve Financial Accounts in Cash Book & Income and Expenditure from 1<sup>st</sup> March to 31<sup>st</sup> March 2025.

*It was Resolved* to Approve Financial Accounts in Cash Book & Income and Expenditure from 1<sup>st</sup> March to 31<sup>st</sup> March 2025.

- c. To Approve Bank Reconciliation Statement from 1<sup>st</sup> March to 31<sup>st</sup> March 2025 and year end.
   *It was Resolved* to Approve Bank Reconciliation Statement from 1<sup>st</sup> March to 31<sup>st</sup> March 2025 and year end.
- d. To Approve Budget Monitoring of Income and Expenditure up to 31<sup>st</sup> March 2025, against this year's budget which completes year end accounts.
   It was Poselued to Approve Budget Monitoring of Income and Expenditure up to 31<sup>st</sup> March 2025.

*It was Resolved* to Approve Budget Monitoring of Income and Expenditure up to 31<sup>st</sup> March 2025, against this year's budget which completes year end accounts.

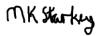
e. To Report HWPC submitted their VAT claim for 1/1/2025 to 31/3/2025 for total sum of £1572.60 on 8<sup>th</sup> April 2025.

It was noted that the full VAT claim had been received in bank 11/4/2025

- f. To Report progress with HWPC Internal audit with Internal auditor Brian Brookes. It was Reported that no date has been set yet but the Internal Auditor has all the documents that he requirements for now.
- g. To Approve (retrospectively) the amended HWPC Asset Register for March 2025 including assets that were delivered after meeting on 17<sup>th</sup> March 2025, ready for Insurance renewals in May 2024, as per IA guidance.

*It was Resolved* to Approve (retrospectively) the amended HWPC Asset Register for March 2025 including assets that were delivered after meeting on 17<sup>th</sup> March 2025

- h. To Approve and sign HWPC AGAR for 2024/2025 (if finalised). It was Resolved to Approve and sign HWPC AGAR for 2024/2025. All of section 2 was ticked off in front of Full Council and Signed by the Chair, Councillor M Starkey. It now waits for sign off by the Internal auditor.
- To Report findings from research conducted on Interest rates of 3%+ including a 'Chase' account for a separate savings account for HWPC to hold its published 'Reserves'.
   *It was Reported* that the Chase account was not suitable due to no dual authorisation and no securities for Clerk or Parish. CCLA Churches Charities Local Authorities were recommended but the guarantees were not sufficient. Others were pursued inc Barclays Bank, Yorkshire Bank but had low interest rates. Hinckley and Rugby Building Society have a Local Council 90 Day notice deposit account at 3.4% Gross / AER and although they cannot offer a dual signatory, the money can only be transferred into the nominated Bank Account stated on application, which would be HWPC Barclays Bank current account, which does have dual signatory. Can have up to 4 signatories and any of these can request the transfer of funds into the Barclays account, to then use to pay invoices etc.
- j. To Consider and decide way forward for separate savings account for HWPC to hold its published 'Reserves'.



It was Resolved to Approve Hinckley and Rugby, for the Clerk to complete an application for Hinckley and Rugby 3.4% 90 notice for local councils account, with up to 4 signatories for the account, with monies only being able to be moved to nominate the parish bank account which will be stated on the application form.

#### 62/2025. Heworth Without Parish Council Administration

- a. To Report on the distribution of the HWPC Spring Newsletter 2025.
- It was Reported that the distribution was completed.
- b. To Report key views discussed at the Annual Parish Meeting at 6.30pm prior to this meeting and appoint working parties (if required).

**Cllr S Phoenix** – Felt it was a shame that the word MUGA has been mis-represented as a big development. In reality its changing the goal posts, having a new full surface area, there's no lighting, no fence. We pay council tax here and would like children to use a local area - anywhere you go you are going to get kids that are annoying.

*Clir N Ayre* - There was a legislation change and HWPC had to move gym equipment outside the play area and it's going to be the same surface as the MUGA - Gym equipment has a SUDS surface.

**Clir K Last** – Wished to thank everyone for coming and thank you for expressing your views and being polite at expressing the frustration on lack of information regarding the MUGA. We must commit to it without little information. £45K does not buy you a good MUGA – it buys you an artificial carpet. It will require pressure washing to get mud out and we not have access to water. I wish the money could be used in this ward, in the new land (housing development) that is being built. If you go by Sport England recommendations it is not a safe site for a MUGA, it doesn't have 2 access points and is not fenced off, as recommended.

Various debates on whether the artificial carpet surface needed pressure washing - no evidence either side was presented.

*Clir N Ayre* - It was stated that Strensall have the same thing, and it doesn't need pressure washing. What would be do if we started from point A - Fully agree with you but that's not what we started with. No body has wanted a fully caged MUGA we are all in agreement with this – Strensall did offer this, and it was turned down.

Looked at options of the funding. The scheme that came forward in a full artificial surface. Cllr K Last asked for us to go back to the developer. CYC will take the money elsewhere - the document widened the scope of the funding – if it doesn't go ahead the funding will not be spent in this parish.

**R** Barker – if it is grass, the grass gets wet and people will not use it for a bit and re-grows. But artificial surfaces will need maintaining more.

*Cllr D Harrison* – Recently I was informed about "space for girls campaign" – you should not have a fence or wall around an area. 3 parish councillors attended an online MUGA training course. A type of tarmac base was recommended. I have a child aged 10 and 6 years. (Space for girls was positively spoken about at the meeting). Nigel Ayres, it's not wet for 6 months of the year, more like 4 and now in the sun its baked and solid. If you say no, the money goes elsewhere or back to the developer. If we say yes, we can get involved in how its built.

**T** McDermott – concerned about planning process and construction, access to the land.

*Cllr A Basu*– An artificial turf does not solve the problem of the drainage issue. It would bring down the life expectancy of the turf. What happens when there is damage, ends up in landfill? It is not biodegradable, and some plastics will be going into the beck.

**R** Barker – Worried about that it is already it a wet area and will be high maintenance – from an environmental point of view. Its feels very rushed - no recent consultation with the parish.

*Clir N Ayre* - This has not been rushed and some councillors tried to vote last month without telling the parish

*Clerk* confirmed that December 2022 CYC did a consultation at the Burnholme Explore library.

T Questa - Hilbeck all felt that CYC did not want to hear any negative feedback most of us went and they didn't want to know.

Clir N Ayres and Clir M Starkey both confirmed that it will be equivalent drainage only, no better drainage than is there now.

*Clerk* confirmed that none of the hard work in the play area and current facilities would be impacted upon. All construction vehicles would enter down the side of the beck footpath and in through the side boundary fence. 5

MK Starkey

*Cllr N Ayre -* There would be a period of closure to the path during construction / safety times.

- c. To Report that Andrew Towlerton has no spare capacity to take on the role of Planning consultant for HWPC neighbourhood Plan, nor to advise.
   It was noted
- d. To Consider and decide upon using a Planning Consultant to help create HWPC Neighbourhood Plan and to apply for funding.
   It was Poselwed for Clir N Auro to approach CYC to get any recommendations.

It was Resolved for Cllr N Ayre to approach CYC to get any recommendations

### 63/2025. Events:

- a. To Report on Easter Egg Hunt 2025, held on Good Friday 18<sup>th</sup> April 2025. It was Reported that 184 children completed the Easter Egg Hunt – very positive. Clerk issued surveys responded in advance of the meeting and 100% looking forward to next year. Cllr N Ayre thanked all the people on the Events group for making it happen. Cllr D Harrison was given positive feedback and how inclusive it was. J Hitchins commented how inclusive it is and its really appreciated.
- b. To Report on Spring Garden Competition and Sponsorship with Yorkshire Garden Centre (formally known as Deans) held March / April 2025.
   It was Reported that all the photographs of the suggested gardens are all taken and now waiting to meet up with judges for final decision. Cllr K Last to report back with winners next meeting 19/5/25.
- c. To Report on 10th Great British Spring Clean held on Saturday 29<sup>th</sup> March 2025.
   It was Reported that Cllr Melanie Starkey and Cllr Andrew Garbutt conducted this event.
- d. To Receive, Consider and decide upon a Report / Minutes from the Events Working Group's recent meeting

It was Reported that no meeting has taken place - no future meeting was agreed

 e. To Receive, Consider and decide upon the updated proposal; of HWPC 12 month schedule of engagement with our community, by the Event working group (Cllr A Harrison, Cllr D Harrison, Cllr S Phoenix and Cllr M Starkey).
 Not reviewed this time.

#### 64/2025. Heworth Without Parish Council Policies and Documentation

- a. To Approve the HWPC Data Protection Audit *It was Resolved* to Approve HWPC Data Protection Audit
- To Appoint Councillors / Working Groups to review the following policies in readiness for May's Annual Council Meeting. HWPC Standing Orders, Financial Regs and Risk Management Assessment

*It was Resolved* that the following Councillors would review the following documents / policies Cllr K Last - Financial Regs, Clr E Hardy - Risk Mgt Assessment, Cllr M Starkey and Cllr M Starkey Standing Orders.

 c. To Consider and decide upon any other HWPC Policies and Documentation that are due for renewal.
 None

#### 66/2025. To Consider Issues Relating to Parish Assets and Open Spaces

- a. Stray Road play area
  - i) To Report matters relating to Stray Road Play Area.
     *It was Reported* that the next routine Quarterly Operational inspection by Playscheme is on 19<sup>th</sup> May 2025.
  - ii) To Report progress with Stray Road Play area entrance installing a separate lower RADAR locked accessible swing gate. Salt bin will be re-sited approx. 1 metre left and entrance resurfaced from current playarea entrance, in front of double gates and to the new accessible entrance. Project managed and funded by CYC.

*It was reported* that still no response from Dave Meigh or M Pavlovic (on holiday until 28/4/25), Clerk to chase again.

### b. Stray Road Playing field, Jubilee wood and wildflower meadow

i) To Report on any recent ASB and Vandalism activities.

It was **Reported** that there have been recent fires and individuals cutting through into the allotments and den building on allotment plots etc – see allotments. Just out of Parish - fires over the footbridge (behind Hempland school and near where tree had fallen and been removed). Fire brigade have been in attendance 18/3/2025 onwards reported by local residents.

ii) To vote on whether HWPC wishes to have a MUGA (Multi Use Games Area, with an artificial surface installed on Stray Road Playing Field.

This vote will clarify HWPC's intention to accept the new legal situation, outlined by Pauline Stuchfield on 17th March 2025. HWPC's Clerk will then inform Pauline Stuchfield, CYC Director of Housing and Communities with the outcome of this vote.

It was Reported that CYC Officer has authority to take the MUGA to tender. Currently HWPC cannot vote after tender, which is not what they were initially led to believe, this is why the vote is taking place.

**Clir N** Ayre proposed a simple Vote Yes or No - To Vote in favour of a MUGA on Stray Road Play area / Playing field

Cllr M Starkey agreed – all HWPC Councillors agreed.

**CIIr N Ayre** asked for it to be a Named Binding Vote and all agreed.

**Named Vote -** To Vote in favour of a MUGA on Stray Road Play area / Playing field on 28/4/2025 Cllr N Ayre – In favour (Yes)

Cllr S Phoenix – In favour (Ýes)

Cllr D Harrison - In favour (Yes)

Cllr A Harrison – In favour (Yes)

Cllr A Basu – Against (No)

Cllr K Last – Against (No)

Cllr E Hardy – Against (No)

Cllr A Garbutt – Against (No)

Cllr M Starkey (Chair) – Ágainst (No)

It was Resolved that HWPC does not wish to have a MUGA on Stray Road Play Area / Playing field.

*It was noted* that all public left the meeting at this point (8.35pm), including Cllr N Ayre and Cllr S Phoenix, as noted in the apologies at the beginning of the meeting that they would be leaving early.

iii) To Report on other matters relating to Playing field, Jubilee wood and wildflower meadow *None* 

#### c. Open Spaces and other assets

i) To Report on progress of the installation of two drainage grates on the beck footpath, behind the large swings

It was Reported that there is still no news - Clerk to chase to M Pavlovic

- ii) To Report progress on the possibility of the installation of a talking bench on the corner of Stray Road / Bad Bargain Lane. Highways would need to be involved and CYC guide on bench design. *It was Reported* that there is still no news but CYC have planted a tree next to where HWPC wish to the bench – Clerk to chase to M Pavlovic
- iii) To Report matters relating to our open spaces and assets. *None*
- d. HWPC Allotments
  - i) To Report on any other matters relating to Stray Road Allotments.

*It was Reported* that there were 2 incidents Easter Bank holiday weekend 11-13 youths - building a large den/ campsite fire – used allotment tenants chairs, tools, equipment and damaged caused – reported to police and PCSOs in attendance

# 67/2025. Employment and Training:

a. To Consider and decide upon any current employment/training related issues within HWPC.
 *It was Reported* that 3 councillors attended MUGA webinar and 1 councillor attended a neurodiversity webinar
 7

MK Starkey

#### 68/2025. <u>Councillor Activities -To Receive Reports from Councillors who have attended recent</u> <u>training events and meetings</u>

Feedback for MUGA webinar was that it was useful info but more like a sales pitch Neurodiversity webinar was relevant for parish council to help understand some resident's concerns.

#### 69/2025. To Consider Highway/Transport Issues:

a. Receive and consider a report regarding progress with training dates and Speed Watch operations for HWPC's involvement in the Community Speed Watch initiative by the Speed Watch working group (Cllr D Harrison and Cllr M Starkey).

*It was Resolved* to agree some dates with the Community Speed watch Councillors on HWPC b. To Note any further highway issues.

None

#### 70/2025. Policing and Security Matters:

- a. To Consider and decide upon the latest Neighbourhood Policing Team Report *It was Reported* that there were 2 incidences of theft from vehicles in March 2025
- b. Note any further policing and security issues. *None*

#### 71/2025. Correspondence:

a. To Consider and decide upon correspondence to the clerk received not specifically dealt with on this agenda

18/3/25 – Local resident called to say that they had to call the fire brigade as teens had set light to a large amount of tree debris from the recent tree surgery, that was very close to the residents gardens. Luckily the fire was put out in time. There have also been several smaller incidents in the last month of fires being started too using the debris. Clerk instructed Jamie Ulliott (Tree Surgeon) to chip tree debris immediately - as was already planned but another fire occurred before debris was chipped and been ok since on the playing field – but fires / ASB now moved to allotments and over the beck footbridge. This was also raised in APM today and *It was Resolved* for Clerk to resolve with Groundsman and Tree surgeon.

ANSVAR insurance renewal for parish has come in. Clerk recommended that we remain with current company. Renewal is £1086.88 – previous year was £1075.79. Need to pay before 1<sup>st</sup> June 2026 – can put on May invoices to approve. *It was Resolved* for Clerk to renew with ANSVAR quote.

Ware and Kay Solicitors – Found an issue with Land registry - some of the land has been registered with NYCC, now CYC without them realising –driveway and grass side leading to the beck. *It was Resolved* for Clerk to go back to Stephenson's for a surveyor.

7 emails from residents regarding MUGA 6 voted for a MUGA and 1 Against. It was Reported that Clerk had acknowledged receipt.

#### 72/2025. To Note matters for Information and items for next monthly meeting agenda

Clerk requires a replacement laptop – last purchased 2020 – see asset register - ASUS VivoBook Laptop. Now slow, sticking and duplicating copy and paste etc. Yearend processes have been a challenge with multiple screens open at the same time. *It was Resolved* for Clerk to get Quotes for May meeting.

#### 73/2025. To Confirm date and time of next meeting

To Confirm date, time and venue for the Annual Council Meeting of Heworth Without Parish Council, followed by the Ordinary Parish Council Meeting as Monday 19<sup>th</sup> May 2025 at 7pm in the Community Centre on Applecroft Road, Heworth.

*It was agreed.* Meeting closed 21.30

Minutes approved on 19th May 2025

MK Starkey