



## KIRKBYMOORSIDE TOWN COUNCIL

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### **Minutes of a meeting of the Kirkbymoorside Town Council held at Church House, Kirkbymoorside, on Friday 6<sup>th</sup> September 2013 at 7.30 pm**

**Present:** Councillors M Brampton, J Coughlan, C Dowie (Chairman), D Turlington, S Ward and J Watson.

**Also present:** Town Clerk L Bolland and 11 members of the public.

Councillor C Dowie opened the meeting and welcomed all present.

#### **13091 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs J Cossins and P Brewster.

#### **13092 DECLARATIONS OF INTEREST**

None.

#### **13093 MINUTES**

- a) Minutes of the Council Meeting held on 15 July 2013 were amended as follows:

##### **13071 PUBLIC SESSION**

A member of the public alleged that there had been instances where councillors had not declared personal interests and that this was prejudicial to the effectiveness. He claimed to have evidence that he did not present and said that he would withdraw the allegation of it proved to be unfounded.

The revised minutes were **approved** and **signed**.

- b) The minutes of the Planning Committee meeting held on 15 July 2013 were **received**.  
c) The minutes of the Manor Vale Management Committee meeting held on 25 July were **received**.  
d) There were no matters arising.

#### **13094 PUBLIC SESSION**

None.

#### **13095 TERMS OF REFERENCE FOR THE TC SPORTSFIELD COMMITTEE**

Draft Terms of Reference were received and amended to comply with Council's Standing Orders. A vote was taken and all present approved the amendments and it was agreed to adopt the revised Terms of Reference. (Appendix A)

Recommendations were received by the Finance Committee regarding a £2000 ceiling expenditure from the Town Council reserves for the current financial year, if needed. A vote was taken and all present were in agreement.

## **13096 THE SPORTS CLUBS**

It was **agreed** to establish an individual contract with each club.

It was **agreed** to receive fees from each club to cover its individual use of the land, the insurance cost of common areas and maintenance cost of common areas.

It was agreed to charge each club individually for a proportion of the utility bills determined by usage (subject to review) and in order to do this repairs to the meter reading equipment would need to be undertaken.

It was agreed that pitch using clubs will be charged proportionately for the groundsman's services and any pitch maintenance costs.

**13097** A vote was taken and all present agreed to facilitate the transition of the former SFA into a flexible fundraising Charity for supporting sport in Kirkbymoorside and District.

## **13098 EMPLOYMENT ISSUES**

It was noted that the current groundsman will be retiring on 31 December 2013.

There is no evidence of any pension arrangements or commitments to a retirement gratuity or any other such scheme.

It was agreed that any existing financial liability should be met from the former SFA funds.

The appointment of a new groundsman from 1 January 2014 was designated to the Sports Committee. Information was received by members of the public present that David Gardner had expressed an interest in this role.

## **13099 FINANCES**

It was noted that a KMS Sport bank account has been set up.

The following recommendations were received from the Finance Committee:

- Once utilities and liabilities are sorted all income and expenditure be transferred to the KMS Sport Account.
- Existing SFA bank account be closed at the earliest opportunity subject to completion of utilities and that the existing charity be continued and reconstituted.
- Clarity must be obtained with regards to debt/loan agreements between the former SFA and individual clubs.
- Recreation club be re-formed with a self-sufficient voluntary group who have already expressed an interest.
- In order for a group insurance policy to be adopted all clubs must provide insurance information to the Council.

It was agreed to settle any existing accounts pertaining to the former SFA and transfer the remaining balance of funds to the KMS Sport account and for the TC Sport Committee to deal with any outstanding loans/debts from individual clubs.

It was agreed to delegate re-invoicing utility charges for individual sports clubs to Moore Stephens.

It was noted that the KMS Sport accounts will increase the number of transactions currently undertaken by Moore Stephens and this should be reviewed depending on cost implications.

## **13100 THE RECREATION CLUB**

Details of an inventory of the stock and property of the Recreation Club were not available.

Details of existing agreements or arrangements for management of the Recreation Club were not available from representatives of the former SFA.

It was noted that the SFA and the Recreation Club were previously separate entities but in recent

years the Recreation Club has become part of the SFA.

The Finance Committee recommended that the Council reconstitute the Recreation Club as a separate club with an independent financially liable committee.

A proposal for the future management of the Recreation Club was received from Paul Magson with details of a committee comprised of the following members of the public:

A Farrow

R Walker

P Richardson

C Wilkinson

The new Recreation Club Committee will be responsible for appointment of members and the terms of reference.

Concern was raised in respect of the current licencing status of the Recreation Club facilities. Cllr Ward volunteered to investigate the matter and establish the most suitable licencing agreement for the facility.

The existing state of the facilities was noted by Council and the availability of grant funding to local groups for improvements to the facilities was reiterated.

#### **13101 TO RECEIVE DETAILS OF ANY OUTSTANDING ISSUES AND CONSIDER APPROPRIATE ACTIONS**

It was proposed that the TC Sport Committee facilitate the transition of the existing charity into a charity not directed by representatives of each club but universally to promote sport in Kirkbymoorside and District without responsibility of running the sportsfield but purely a body for fund raising.

A vote was taken and all agreed.

John Goodyear and Stuart Temple volunteered to be representatives on the Committee.

It was agreed that the date of the first TC Sport Committee meeting will be on Monday 23rd September, 7pm at Church House and it was agreed to make it known that Council invited expressions of interest from members of the public who are interested in becoming members of the committee

#### **13102 QUESTIONS TO THE CHAIRMAN**

Concern was expressed regarding the conditional approval awarded to Gladman Developments.

Cllr Ward explained that she had requested that Janet Waggott, the Chief Executive of Ryedale District Council, withdraw the planning approval notice issued to Gladman's on the basis that the decision made at the Planning Committee needs to be looked into. She has refused. Councillor Ward will of course be pursuing this with Janet again. In the meantime it has been confirmed that there are only two ways that planning permission can be reversed. One is to have a Revocation Order made by the Council, which is currently being pursued. The second is for an application for a judicial review (JR) by a third party if it was believed there was a legal flaw in the Planning Committees decision making process. JR is a process for challenging the lawfulness of decisions. A JR does not revisit the merits or seek to substitute a planning decision. Such applications have to be made promptly and within six weeks from the date the grounds for challenge arise.

Presently all avenues available to the Town Council are being pursued.

Cllr Coughlan took this opportunity to express thanks, on behalf of himself and the Council representatives, to Cllrs Dowie and Ward for their stalwart efforts in opposing the progression of this proposed development.

Councillor Ward provided information about section 106 funding that is available for sport and leisure in Kirkbymoorside.

**13103 NEXT MEETING**

The next Town Council meeting will be held on 16 September 2013 at 7.30pm in Church House.

The meeting ended at 8.55pm.