

NABURN PARISH COUNCIL

Chairman: Laurie Gunson

Notice is hereby given that a meeting of Naburn Parish Council will be held **VIA ZOOM VIDEO CONFERENCE** on Monday 7th September, 2020 at 7:30 pm

Due to covid-19 Parish Council activities are restricted, the meeting will not take place as usual in the Reading Room. If residents would like to join the meeting via video conference, please contact the clerk for details by mid-day on Monday 7th September.

- Meetings are open to the Press and Public except for any item labelled as Part 2 under the Public Bodies (Admission to Meetings) Act 1960, Section 1. The authority to hold meetings via a video conference is The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, Section 2 with Press and Public attendance contained in Section 13 of said Regulations Press and public may not speak when the council is in progress; when councillors are discussing council business; and, when councillors are in the process of decision making.
- Any elector is entitled to attend the meeting and any concerns, questions or suggestions will be taken after the chairman welcomes those present. The time for this will be limited to 5 minutes.
- Decisions cannot be made at this meeting on items not on the agenda.
- Recording meetings. You may take photographs, film and audio-record the proceedings at Council and Committee meetings whilst they are open to the public. The recording has to be conducted under the direction of the Chair of the meeting and follow our protocol on audio and visual recording and photography at council meetings. Anyone wishing to record must let the Chair of the meeting know prior to, or at the start of the meeting and the recording must be overt (i.e. clearly visible to anyone at the meeting), but non-disruptive. If you will be speaking at a meeting, for example to ask a question or present a petition, you will have the right not to be recorded. You will need to tell the Chair of the meeting that you do not want to be recorded.

AGENDA

1. Apologies. To receive apologies for absence from members and to consider the reasons for absence.

2. Identify confidential items. To identify any items for discussion which may require the exclusion of the press and public in accordance with the provisions of the Public Bodies (Admission to Meetings) Act 1960 as amended by Section 100A of the Local Government Act 1972, Schedule 12A. Confidential matters are normally only :- (1) personal information about Councillors or employees, (2) contracts and tenders, (3) legal proceedings and (4) the early stages of any dispute.

3. Interests. To receive any declarations of personal and/or disclosable pecuniary interests from members on items to be discussed at this meeting.

4. Minutes. To consider the minutes of the Parish Council meeting of 6th August, 2020 for approval.

5. Finance.

5.14. To consider the spend of £15 for a lockable key box, to be secured inside the Reading Room, to safely store the filing cabinet keys.

5.15. To consider the spend of £120 to renew the annual contract with York Greenways to regularly empty the bins on the Sustrans cycleway at the end of Vicarage Lane.

5.16. To consider the spend of a maximum of £150 to fix a perspex panel on the external side of the telephone box adjacent to the school play area to comply with a safety inspection by the school.

5.17 To consider the settlement of the electricity account in the sum of £12.76 to Opus Energy.

5.18 To consider the settlement of the water account in the sum of £32.96 to Business Stream.

6. Planning.

7. Flooding

7.1. To consider any lessons that can be learned from the series of floods encountered during February 2020.

8. Highways

8.1. To consider suggestions by a number of residents to sow wild flower seeds along some of the verges in and around the village instead of having the verges mown.

9. Community areas and buildings

9.1. To consider who will take on the responsibility of maintaining the garden in front of the Reading Room since Cllr Lamb's resignation.

9.2. To consider the placing of a plaque on the outside of the Reading Room explaining that the Reading Room was built by public subscription in approx 1910.

9.3 To consider the request from Fulford Girls u13 football team to use the football pitch on occasion.

10. Communication

11. Miscellaneous

12. Outstanding action items

13. For Information items

14. Public participation

15. Confidential items.

15.3 Complaints against Cllr A Clark. These arose out of the Extraordinary Parish Council meeting of 28/1/20, regarding a discussion about the New Haven, Main Street, Naburn planning application. Cllr Clark did not declare a personal interest, despite being friends with the applicant and, unbeknown to the Parish Council, contacting the City of York Ward Councillor about the application on behalf of the applicant.

On 4.2.20 Cllr J Jefferson, one of two parish councillors who carried out the New Haven consultation on behalf of the Parish Council, wrote to the Clerk and Chairman to express concern about Cllr Clark's lack of openness in her actions. He thought this was discourteous to the council as a whole and possibly breached the Council's Standing Orders and Code of Conduct and he worried that it endangered the integrity of the Parish Council in its planning role; it was a situation that should not be allowed to happen again.

On 7.2.20 Cllr K Lamb resigned from the Parish Council, citing Cllr Clark's conduct and lack of openness and transparency in her reasons. She felt that the integrity of the planning process and of the Parish Council as a whole had been seriously undermined and the reputation of the Council had been brought into disrepute.

Subsequently, a resident complained directly to the Director of Governance at the City of York Council, believing Cllr Clark had breached the Code of Conduct.

According to the 2011 Localism Act, Code of Conduct complaints which relate to members of a Parish Council are exclusively the responsibility of the Principal Authority (in our case, City of York Council). If the Principal Authority believes that there has been a breach of the Code of Conduct, it is for the Parish Council to discuss and agree any actions recommended by the Principal Authority. The City of York Council decided that there was no breach as the Parish Council does not actually make a decision on planning applications, it simply expresses a view, but they did acknowledge that the "extent she knew the applicant could have been clearer". The judgement was relayed to the Chairman on 28/4/20 after the start of the Covid-19 lockdown.

The Chairman, however, with the support of the Vice Chair, the Clerk and Cllr Jefferson felt that it was important to meet with Cllr Clark to make her fully aware of the situation and that her lack of transparency and openness had damaged the integrity of the Parish Council. On 10/7/20, the Government's Covid-19 guidelines permitted the Chairman to meet with Cllr Clark face to face inside, during which Cllr Clark apologised and admitted that in hindsight her actions were unwise.

In order to clarify further the responsibilities of Parish Councillors when dealing with issues, the Chairman proposed that the Parish Council should adopt the same Code of Conduct as City of York Council, apply the recognised 'Ten Basic Principles for Public Life' and strengthen and clarify its Planning Policy. This was all approved by the Parish Council at its 'virtual' meeting on 6.7.20.

16. Items for consideration at the next meeting

17. Closure of meeting and date of next meeting.