



## Notice/Summons

### Councillors:

G Taylor (Chair), P Harlington, B Hawkins, R Jones, J Newark, J Redfearn, D Walker,

**You are hereby summoned to attend the following meeting:**

### Acaster Malbis Parish Council Meeting

**When: Monday 14 Nov 2022 at 19:30**

**Where: Acaster Malbis Memorial Hall, Acaster Malbis**

Members of the press and public are invited to attend, rules of attendance are available on the website.

*Craig Booth*

Craig Booth, Clerk

posted: **7 Nov 2022**

## Meeting Agenda

### **107 Apologies**

107.1 To receive apologies and approve reasons for absence.

### **108 Declarations of Interest**

108.1 To receive declarations of interest from councillors on items on the agenda.

108.2 To receive written requests for dispensations for disclosable pecuniary interests (if any).

108.3 To grant any requests for dispensation as appropriate.

### **109 Council Minutes**

109.1 To confirm the minutes of the council meeting on **10 Oct 2022** as a correct record.

### **110 Public Participation**

110.1 Fifteen minutes is allocated for public participation. Up to five members of the public will be given no more than three minutes each to speak.

## Planning & COYC Report

### **111 Planning Applications**

111.1 22/00663/FUL – Toad Hall – Erection of a retaining wall and ground stabilisation by the river.

111.2 Any applications received after the agenda was posted.

### **112 Planning Decisions**

112.1 22/01739/FUL – 33 Mill Lane - Two storey side extension and single storey rear extension.

112.2 22/01863/FUL – 61 Mill Lane - First floor rear extension

112.3 To receive an update from the Planning Coordinator on planning decisions by COYC.

### **113 Planning Appeals**

113.1 22/00886/FUL – 28 Lakeside - Replacement of 1m high gates with 1.8m high gates

### **114 City of York Council Ward Member Report**

114.1 To consider matters raised with/by the Ward Member Cllr J C Galvin.

## Discussion & Decision Items

### **115 Clerk's Report**

115.1 To receive the clerk's report on matters since the last meeting.

### **116 Defibrillator at the Memorial Hall**

116.1 To discuss progress on the installation of a new defibrillator at the memorial hall.

### **117 Budget 2023**

117.1 To consider the draft 2023 budget (Appendix 4 & 5).

### **118 Public Rights of Way**

118.1 To consider the Order making a footpath along the river (see Appendix 6).

118.2 To discuss the locked gates on route 7 footpath along the south Ings.

118.3 To discuss the missing footpath signs on routes

### **119 Trees near Dimple Ditch at Lakeside**

119.1 To receive a report from Cllr Taylor on the quince and medlar trees by Lakeside.

### **120 Land adjacent to Mill Garth Park**

120.1 To discuss the ownership of the land next to Mill Garth Park.

## Correspondence & Finance

### **121 Correspondence**

To consider the following new correspondence and decide action where necessary.

121.1 White Rose Update (14, 28 Oct).

121.2 Local CPRE newsletter (North and East Yorkshire) 2022.

121.3 Countryside Voices summer 2022.

121.4 Clerk & Councils Direct Nov 2022.

121.5 Weekly list of planning applications from COYC.

121.6 York Enhanced Partnership for Buses membership.

121.7 Email received from resident regarding the trees at Lakeside.

### **122 Financial matters**

122.1 To approve payments as detailed in Appendix 1.

122.2 To note receipts as detailed in Appendix 2.

122.3 To approve a bank reconciliation report up to **31 October 2022** in Appendix 3.

122.4 To note the internal controls undertaken prior to the meeting.

**123 Training and Employment**

123.1 To receive reports from councillors having attended training or meetings of outside bodies.

**124 Policing and Security**

124.1 To receive local crime reports.

**125 Information or items for inclusion on next meeting agenda**

125.1 To include any item on the agenda for the next meeting.

125.2 To exchange information not on the agenda. No discussion or decision may take place.

**126 Date of the Next Meeting**

126.1 To confirm the date of the next meeting as 9 January 2023.

Acronyms:

AMPC Acaster Malbis Parish Council

COYC City of York Council

AMMH Acaster Malbis Memorial Hall

YLCA Yorkshire Local Council Association

## Appendix 1

### Payments to note/approve

To whom	Description	Total
WEL Medical Ltd	Defibrillator Cabinet	478.80
WEL Medical Ltd	Defibrillator	900.00
HSBC Bank	Bank Charges	8.00
HM Land Registry	Land registry search	12.00
	<b>Total</b>	<b>£1,398.80</b>

**Transfer of £1,398.80 from Money Manager to Current Account.**

## Appendix 2

### Receipts to note

From whom	Description	Total
	<b>Total</b>	<b>£0.00</b>

## Appendix 3

### Bank Reconciliation

Bank	On		Total
HSBC Money Manager	31/10/2022		10,319.62
HSBC Community Account	28/10/2022		500.00
Petty Cash	31/10/2022		0.00
		<b>Total (A)</b>	<b>£10,819.62</b>

Cash Book	On		Total
Cash in hand	01/04/2022		15,464.75
Receipts to date	31/10/2022		4,776.96
Payments to date	31/10/2022		-9,422.09
		<b>Total (B)</b>	<b>£10,819.62</b>

As totals **A = B** there no issue to report.

## Appendix 4

### Budget

Outgoings	Receipts					Payments					Net	
	Title	Budget	Actual	Forecast	Total	Variance	Budget	Actual	Forecast	Total	Variance	Net
Clerk's Salary							3,800.00	418.95	320.00	738.95	3,061.05	3,061.05
Clerk's Allowances							172.00	129.00	86.00	215.00	-43.00	-43.00
Office Expenses							400.00	33.50	133.32	166.82	233.18	233.18
AMMH Hall Hire							290.00	225.00	0.00	225.00	65.00	65.00
BHIB Insurance							593.00	593.39	0.00	593.39	-0.39	-0.39
Professional Fees							80.00	75.00	0.00	75.00	5.00	5.00
Annual Subscriptions							507.00	410.00	41.00	451.00	56.00	56.00
Training							500.00	133.60	125.00	258.60	241.40	241.40
Website & Email Hosting							280.00	294.00	174.00	468.00	-188.00	-188.00
Website Maintenance							0.00	0.00	0.00	0.00	0.00	0.00
IT Equipment							250.00	1,135.03	0.00	1,135.03	-885.03	-885.03
Verge Maintenance							0.00	0.00	0.00	0.00	0.00	0.00
Grants/Projects - Unplan							0.00	2,558.00	0.00	2,558.00	-2,558.00	-2,558.00
Grants/Projects - Plan							700.00	3,500.00	500.00	4,000.00	-3,300.00	-3,300.00
Defibrillator Maintenance							0.00	41.95	0.00	41.95	-41.95	-41.95
Software Purchase							200.00	492.97	0.00	492.97	-292.97	-292.97
Software Subscriptions							572.00	129.00	0.00	129.00	443.00	443.00
Bank Charges							0.00	64.00	32.00	96.00	-96.00	-96.00
							<b>8,344.00</b>	<b>10,233.39</b>	<b>1,411.32</b>	<b>11,644.71</b>	<b>-3,300.71</b>	<b>-3,300.71</b>

Incomings	Receipts					Payments					Net	
	Title	Budget	Actual	Forecast	Total	Variance	Budget	Actual	Forecast	Total	Variance	Net
COYC Precept		4,553.00	4,553.00	0.00	4,553.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Bank Interest		1.00	3.35	0.00	3.35	2.35	0.00	0.00	0.00	0.00	0.00	2.35
Slipway Rent		3,250.00	0.00	3,250.00	3,250.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
VAT Refund		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Ward Grants		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Miscellaneous		0.00	75.01	0.00	75.01	75.01	0.00	0.00	0.00	0.00	0.00	75.01
		<b>7,804.00</b>	<b>4,631.36</b>	<b>3,250.00</b>	<b>7,881.36</b>	<b>77.36</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>77.36</b>
<b>NET TOTAL</b>		<b>7,804.00</b>	<b>4,631.36</b>	<b>3,250.00</b>	<b>7,881.36</b>	<b>77.36</b>	<b>8,344.00</b>	<b>8,734.39</b>	<b>1,884.98</b>	<b>10,619.37</b>	<b>-2,275.37</b>	<b>-2,198.01</b>

## Appendix 5

### 2023-24 Draft Budget

		2022 Budget	2022 Actual	2023 Budget	Comment
<b>Employment</b>	Salary	£3,800.00	£720.00	£3,800.00	
	Premises	£100.00	£100.00	£100.00	
	Telephone	£72.00	£72.00	£72.00	
	Advertising		£0		
<b>Software</b>	Scribe	£172.00	£154.80	£172.00	
	Online Storage/DM	£400.00	£0	£0	
<b>Subscriptions</b>	Data Protection	£41.00	£40.00	£41.00	
	SLCC Membership	£100.00		£100.00	
	YLCA	£330.00	£315.00	£346.50	5% Uplift
	CPRE	£36.00	£50.00	£50.00	
<b>Expenses</b>	Office	£400.00	£21.50	£200.00	
<b>Projects</b>	Scout Litter Pick	£200.00	£0	£200.00	
	Pesticide Safety Equipment	£500.00	£0	£0	
	Verge Maintenance			£1,000.00	
	Balsam Bash			£50.00	
	Flower Tower			£100.00	
	Notice board repair			£100.00	
<b>Training</b>	Clerk	£250.00	£240.00	£250.00	
	Councillors	£250.00	£134.00	£200.00	
<b>Grants</b>	Planned		£(3,500.00)		
	Unplanned		£1,200.00		
<b>Business</b>	Rental	£290.00		£300.00	5% uplift
	Insurance	£593.00	£593.39	£595.00	Fixed 2021-2024
	Audit Fee	£80.00	£75.00	£160.00	
	Bank Charges	£0	£96.00	£96.00	
<b>IT</b>	Website hosting & email	£280.00	£500.00	£554.00	
	Website Maintenance (cons)				
	IT Equipment Replacement	£250.00	£1,135.00	£250.00	
	Software Purchase	£200.00	£493.00	£200.00	
		<b>£8,344.00</b>		<b>£8,936.50</b>	
<b>Income</b>	Slipway Rental		£3,250.00		
			£4,553.00		
			<b>£7,803.00</b>		

**THE COUNCIL OF THE CITY OF YORK**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE COUNCIL OF THE CITY OF YORK (PART OF THE FORMER NO 2 AREA OF  
THE COUNTY OF THE WEST RIDING OF YORKSHIRE) DEFINITIVE MAP AND  
STATEMENT**

**PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH BISHOPTHORPE 3  
MODIFICATION ORDER 2019**

Suzan Harrington  
Interim Assistant Director - Legal & Governance  
City of York Council  
West Offices  
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YO1 6GA

**THE COUNCIL OF THE CITY OF YORK**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE COUNCIL OF THE CITY OF YORK (PART OF THE FORMER NO 2 AREA OF THE COUNTY OF THE WEST RIDING OF YORKSHIRE) DEFINITIVE MAP AND STATEMENT**

**PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH BISHOPTHORPE 3  
MODIFICATION ORDER 2019**

This Order is made by The Council of the City of York under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the authority that the Council of the City of York (Part of the former No 2 Area of the County of the West Riding of Yorkshire) Definitive Map and Statement require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i). This is due to the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the Map and statement subsists or is reasonably alleged to subsist over land in the area to which the Map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic.

The authority has consulted with every local authority whose area includes the land to which the Order relates. The Council of the City of York hereby Order that:

1. For the purpose of this Order the relevant date is 8 October 2019.
2. The Council of the City of York (Part of the former No 2 Area of the County of the West Riding of Yorkshire) Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the Map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Public Footpath Acaster Malbis 9 & Public Footpath Bishopthorpe 3 Modification Order 2019.

THE COMMON SEAL of THE COUNCIL OF THE CITY OR YORK was hereunto affixed

this 10<sup>th</sup> day of October 2019

in the presence of:



An Authorised Officer



No. In Seal Register: 11855



SCHEDULE  
PART I

Modification of Definitive Map  
Description of path or way to be added

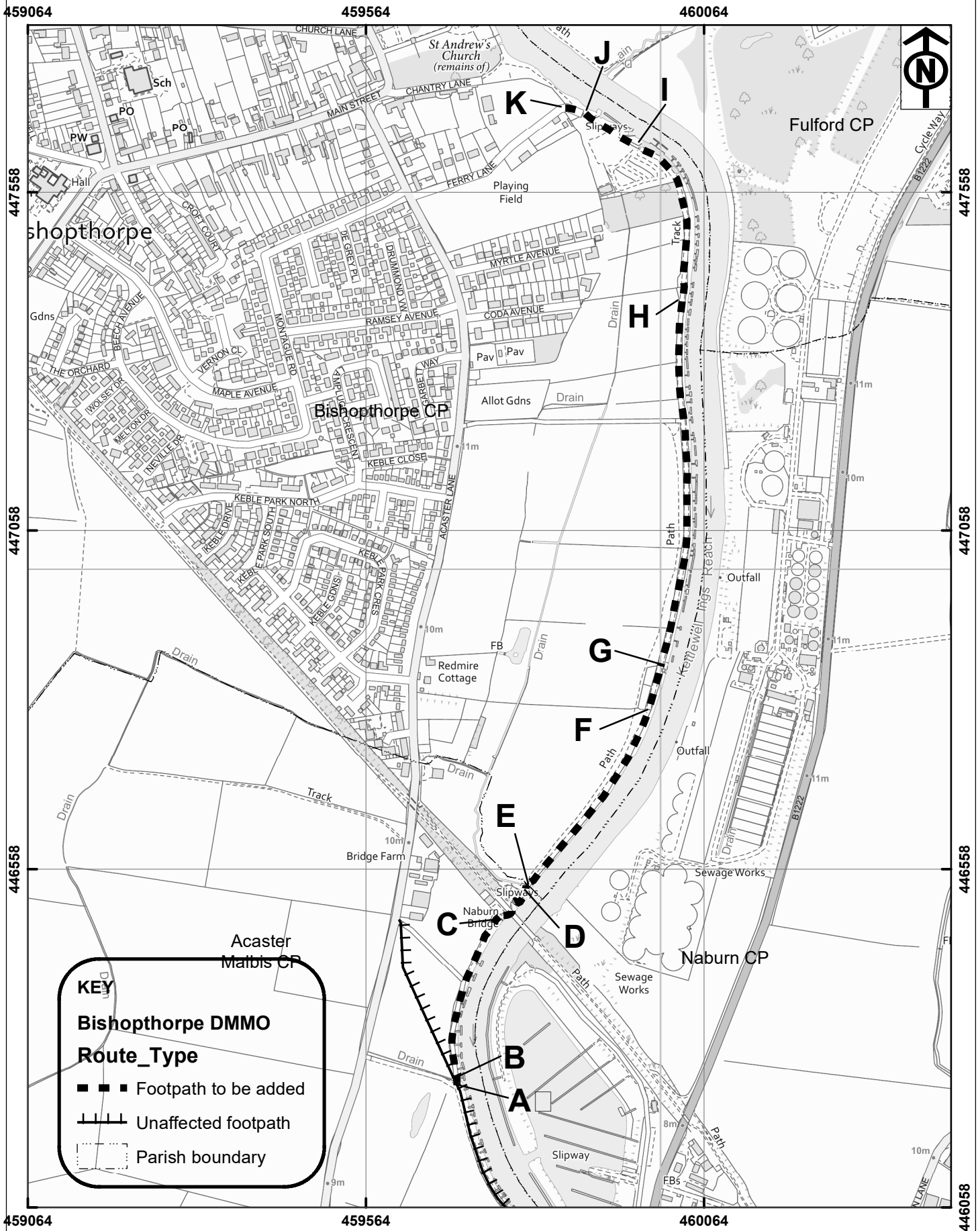
<u>Section of footpath as shown on the attached Map</u>	<u>Description</u>
<p><b>Acaster Malbis 9</b> Indicated on the Order Map and marked as <b>A – B – C – D – E</b></p>	<p>Commencing at grid reference (GR) SE 5969 4623 (POINT A) on public footpath Acaster Malbis 3 the 3 metre wide grass surfaced footpath heads north for approximately 3 metres to GR SE 5969 4623 (POINT B) where it crosses a stile from where the 3 metre wide grass surfaced footpath continues generally north east for approximately 262 metres on the western bank of the River Ouse to a stile at GR SE 5976 4648 (POINT C) from where the 1 metre wide earth surfaced path continues generally north east along the western bank of the River Ouse for approximately 75 metres crossing a concrete slipway then passing beneath the former railway bridge known as Naburn Bridge then crossing a second concrete slipway then reaching a 1 metre wide gap at GR SE 5980 4653 (POINT D) from where the 3 metre wide grass surfaced footpath continues north east for approximately 3 metres to the Bishopthorpe Parish boundary at GR SE 5980 4653 (POINT E) where it meets public footpath Bishopthorpe 3.</p>
<p><b>Bishopthorpe 3</b> Indicated on the Order Map and marked as <b>E – F – G – H – I – J – K</b></p>	<p>Commencing on the Acaster Malbis Parish boundary at its junction with public footpath Acaster Malbis 9 at grid reference (GR) SE 5980 4653 (POINT E) the 3 metre wide grass surfaced footpath heads north east along the western bank of the River Ouse for approximately 319 metres to GR SE 5998 4679 (POINT F) where it passes through a pedestrian gate and the 2 metre wide crushed stone surfaced footpath continues generally north along the western bank of the River Ouse for approximately 68 metres to GR SE 6000 4685 (POINT G) where the path widens to be a 2.5 metre wide crushed stone surfaced footpath continuing north along the western bank of the River Ouse for approximately 544 metres to a 0.8 metre gap beside a vehicle barrier at GR SE 6003 4739 (POINT H) from where the 2.5 metre wide crushed stone surfaced footpath continues generally north west along the western bank of the River Ouse for approximately 257 metres to GR SE 5996 4762 (POINT I) where the surface changes to metalled and the 2.5 metre metalled surface footpath continues north west along the western bank of the River Ouse for approximately 97 metres to SE 5988 4767 (POINT J) where it passes through a 0.9 metre wide gap beside a vehicle barrier following which the metalled surface footpath widens to 4 metres and heads west for approximately 34 metres to SE 5985 4768 (POINT K) where it meets the maintainable highway known as Ferry Lane.</p>

PART II

Modification of Definitive Statement  
Variation of Particulars of path or way

Path No.	Grid Reference End Points	Description	Nature of Surface	Length (Km)	Width (M)	Lawful Obstructions And Conditions
9	SE 5969 4623 to SE 5980 4653	Commencing at grid reference (GR) SE 5969 4623 on public footpath Acaster Malbis 3 the 3 metre wide grass surfaced footpath heads north for approximately 3 metres to GR SE 5969 4623 where it crosses a stile from where the 3 metre wide grass surfaced footpath continues generally north east for approximately 262 metres on the western bank of the River Ouse to a stile at GR SE 5976 4648 from where the 1 metre wide earth surfaced path continues generally north east along the western bank of the River Ouse for approximately 75 metres crossing a concrete slipway then passing beneath the former railway bridge known as Naburn Bridge then crossing a second concrete slipway then reaching a 1 metre wide gap at GR SE 5980 4653 from where the 3 metre wide grass surfaced footpath continues north east for approximately 3 metres to the Bishopthorpe Parish boundary at GR SE 5980 4653 where it meets public footpath Bishopthorpe 3.	Grass (SE 5969 4623 to SE 5976 4648)  Earth (SE 5976 4648 to SE 5980 4653)  Grass (SE 5980 4653 to SE 5980 4653)	0.265km (SE 5969 4623 to SE 5976 4648)  0.075km (SE 5976 4648 to SE 5980 4653)  0.003km (SE 5980 4653 to SE 5980 4653)  Total 0.343km	3 metres (SE 5969 4623 to SE 5976 4648)  1 metre (SE 5976 4648 to SE 5980 4653)  3 metres (SE 5980 4653 to SE 5980 4653)	Stile at SE 5969 4623  Stile at SE 5976 4648  Gap at SE 5980 4653

Path No.	Grid Reference End Points	Description	Nature of Surface	Length (Km)	Width (M)	Lawful Obstructions And Conditions
3	SE 5980 4653 to SE 5985 4768	Commencing on the Acaster Malbis Parish boundary at its junction with public footpath Acaster Malbis 9 at grid reference (GR) SE 5980 4653 the 3 metre wide grass surfaced footpath heads north east along the western bank of the River Ouse for approximately 319 metres to GR SE 5998 4679 where it passes through a pedestrian gate and the 2 metre wide crushed stone surfaced footpath continues generally north along the western bank of the River Ouse for approximately 68 metres to GR SE 6000 4685 where the path widens to be a 2.5 metre wide crushed stone surfaced footpath continuing north along the western bank of the River Ouse for approximately 544 metres to a 0.8 metre gap beside a vehicle barrier at GR SE 6003 4739 from where the 2.5 metre wide crushed stone surfaced footpath continues generally north west along the western bank of the River Ouse for approximately 257 metres to GR SE 5996 4762 where the surface changes to metalled and the 2.5 metre metalled surface footpath continues north west along the western bank of the River Ouse for approximately 97 metres to SE 5988 4767 where it passes through a 0.9 metre wide gap beside a vehicle barrier following which the metalled surface footpath widens to 4 metres and heads west for approximately 34 metres to SE 5985 4768 where it meets the maintainable highway known as Ferry Lane.	Grass (SE 5980 4653 to SE 5998 4679)  Crushed stone (SE 5998 4679 to SE 5996 4762)  Metalled (SE 5996 4762 to SE 5985 4768)	0.319km (SE 5980 4653 to SE 5998 4679)  0.869km(S E 5998 4679 to SE 5996 4762)  0.131km (SE 5996 4762 to SE 5985 4768)  Total 1.319km	3 metres (SE 5980 4653 to SE 5998 4679)  2 metres (SE 5998 4679 to SE 6000 4685)  2.5 metres (SE 6000 4685 to SE 5988 4767)  4 metres (SE 5988 4767 to SE 5985 4768)	Pedestrian gate at SE 5998 4679  0.8 metre gap at SE 6003 4739  0.9 metre gap at SE 5988 4767



West Offices, Station Rise, York,  
YO1 6GA  
Telephone: 01904 551550

**PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH BISHOPTHORPE 3 MODIFICATION ORDER 2019**

Scale 1:7,500

Drawn By:RJV

Date:15/10/19

Public Rights of Way

Reference:

Drawing No.

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