

## Terrington Parish Council

### Minutes of an extraordinary meeting of the Parish Council held on Wednesday 14th December 2022 at 7:30pm in Terrington Village Hall

#### 1. Attendance and apologies.

Present - Cllr Winning (Chairman), Cllr Adkins, Cllr Challoner Walker, Cllr Hanstock, Cllr Lewis, Cllr Stevenson.

Parish Clerk – Kerr Wilson

Two members of the public were present.

#### 2. Declarations of interest.

None

#### 3. To discuss most of the outstanding matters relating to Terrington Cemetery.

##### 3.1 Clarification of the responsibilities of the Burial Authority Officer.

**3.1.1** Proposal: The Parish Council acting as the Burial Authority confirm that the duties of the Burial Authority Officer as given in Section 1.4 includes all those in Section 1.7.

The above proposal refers to the draft Cemetery Regulations where the relevant sections read -

1.4 Terrington Parish Council appoints a Burial Authority Officer to manage the Cemetery in accordance with the Cemetery Regulations and to ensure that all applicable legal requirements are observed, including giving permissions for burials and for the erection of memorials.

1.7 Given that there is limited space in the Cemetery, the first burial in a grave or ashes plot will be limited to:

- i) residents of Terrington Parish at the time of death;
- ii) those who have been at any time resident in Terrington Parish for at least 10 years.

In exceptional circumstances, the Burial Authority may grant the right to be buried to someone not fitting into one of these categories but with a close connection to the parish.

The residency condition will not be applied to the second burial in the same plot but the non-resident charge for burial will be applicable.

Cllr Adkins proposed the following amendment by adding words to proposal 3.1.1 to become proposal –

**3.1.2** The Parish Council acting as the Burial Authority confirm that the duties of the Burial Authority Officer as given in Section 1.4 includes all those in Section 1.7. The Burial Authority Officer must, under the exceptional circumstances as described in 1.7, not make a decision until advice has been sought from the

Burial Authority or any sub-committee of the Burial Authority, and that its advice and decision be reported to the Parish Council at the next meeting.

**Motion 3.1.2**– That the proposal at 3.1.2 describing the duties and responsibilities of the Burial Authority Officer be included in the Cemetery Regulations.

Proposed Cllr Adkins                      Seconded Cllr Hanstock

**Resolution** – the motion was defeated by a 2:4 majority.

The Chairman then referred back to the original motion -

**Motion 3.1.1** – that the Parish Council acting as the Burial Authority confirm that the duties of the Burial Authority Officer as given in Section 1.4 includes all those in Section 1.7.

Proposed      Cllr Winning                      Seconded Cllr Stevenson

**Resolution** – the motion was carried by a 4:2 majority and the Council **resolved** to confirm the duties of the Burial Authority Officer as given in Section 1.4 includes all those in Section 1.7

### **3.2 To consider the appointment of a Deputy Burial Authority Officer.**

The Chairman, drawing on his experience as the current Burial Authority Officer, explained that it would be helpful to have practical support in managing the cemetery work. Also, to have someone to stand-in during times of the Officer's non-availability. He suggested that the Deputy would have duties that mirror those of the Burial Authority Officer, effective in the absence of the Officer. Consideration should be given to the Deputy being a serving Councillor, acting as a link between a future Officer/ employee and the Burial Authority. The Deputy could also be consulted on operational matters in a supporting role.

During the discussion Cllr Hanstock questioned the legality of the appointment of a serving Councillor (unpaid) as an 'Officer' and circulated an opinion from Alan Fairchild (Society of Local Council Clerks) stating a preference for an 'Officer' to be a permanent employee of the Council. However, Mr Fairchild also refers to LGA 1972 that makes it clear that it is not illegal to appoint a serving Councillor as an 'Officer'.

*'Without prejudice to the provisions of subsection (1) above, a parish or community council may appoint one or more persons from among their number to be officers of the council, without remuneration. (Section 112 (5) of the LGA 1972)'*

3.2.1 Proposal: To appoint a serving Terrington Parish Councillor as Deputy Burial Authority Officer. If appointed the Deputy to assume the same authority as the Officer when the Officer is officially absent.

Proposed Cllr Winning                      Seconded Cllr Challoner-Walker

**Motion 3.2.1**– That the proposal at 3.2.1 describing the appointment, duties and responsibilities of a Deputy Burial Authority Officer is adopted.

**Resolution** – the motion was carried with 3 in support of the motion and 3 abstentions.

( Note -At this stage no Councillor was appointed as Deputy Burial Authority Officer)

### **3.3 To consider the formation of a Cemetery Committee.**

**3.3.1** Proposal: To form a Cemetery Committee, that the Committee comprise three members, who should be selected, where possible and agreed by Councillors at that time, one from Ganthorpe, one from Wiganthorpe and one from Terrington. That in forming this Committee, the Parish Council the current Burial Authority, delegate it's powers and authority to this Committee in full or in part.

Proposal 3.3.1 was **withdrawn**

**3.3.2** Proposal: That the decision by the Parish Council to form a Cemetery Committee made on 25 July 2022 (para 6.1) be now formally confirmed by vote.

Proposal 3.3.2 was **withdrawn**

**3.3.3** Proposal: That the remit of the Cemetery Committee be to advise the Burial Authority Officer on requests and situations arising which fall outside or are not within the letter or the spirit of existing Cemetery Regulations and to report its advice to the full Parish Council.

Proposal 3.3.3 was **withdrawn**

**3.4** To consider the Cemetery Regulations document as a whole and to approve this amended document having regard to the changes and clarifications made at the meeting of 14 November and 14 December 2022.

**3.4** Proposal: To accept the amended document comprising the Cemetery Regulations 2022.

In the light of decisions made earlier proposal 3.4 was **withdrawn**.

Councillors agreed that the draft Cemetery Regulations will need to be amended to comply with the decisions made at this meeting to include

- i) Role and responsibilities of the Burial Authority Officer
- ii) Role and responsibilities of a Deputy Burial Authority Officer
- iii) Remove references to a Cemetery Committee

**Action** Draft to be amended and circulated before next meeting 16 January 2023

**3.5** To consider a request from a former long-term resident, for a plaque to be erected in the cemetery to commemorate the life of his dearly departed wife, whose remains are not to be interred in the cemetery.

**3.5 Proposal:** To grant permission for an erection of a plaque by the estate of the deceased, on the front perimeter wall of the cemetery in such a position that it does not fall in line with any burial of ashes plot that might currently be used. All relevant current fees are to apply.

Proposal 3.5 was **withdrawn**

Councillors discussed the request, and appreciating the sensitivity of the request, the Chairman agreed to speak to the enquirer to try and identify a suitable way forward.

**3.6 Proposal** - To consider the honouring of advice given on behalf of this Burial Authority.

Councillors referred to the resolution made at 3.1.1 that advice and decisions on cemetery matters are delegated to the Burial Authority Officer.

Proposed Cllr Winning      Seconded Cllr Lewis

**Motion 3.6**– That the proposal at 3.6 referring to advice previously given is a matter for the Burial Authority Officer.

**Resolution** – the motion was carried with 5:1 majority.

#### **4. Terrington Neighbourhood Plan**

##### **4.1 Formation of a Neighbourhood Plan Group**

To discuss the formation of a Plan Group, to function outside the Parish Council but reporting back to Council. The group to set its own terms of reference.

The Ryedale Local Plan Working Group is reviewing the Ryedale Plan that includes the concept of ‘service villages’ that is expected to go out for public consultation. The Council considered that it would be prudent to be prepared to feed into the Consultation Document when it is published. With this in mind the Council proposes to produce a Terrington Neighbourhood Plan.

**4.1 Proposal:** To form a Terrington Neighbourhood Plan Group, to function outside the Parish Council but with a remit that includes reporting back to the Parish Council via a member. The Group should comprise a membership of interested persons from the Parish including at least one member of Terrington Parish Council.

Proposed Cllr Stevenson      Seconded Cllr Challoner-Walker

**Motion 4.1** – That the proposal at 4.1 to form a Terrington Neighbourhood Plan Group

**Resolution** – the motion was carried unanimously.

**4.2 Membership drive and data gathering exercise.**

The Council discussed how to encourage the involvement and support of parish residents. Initial thoughts centred around the preparation and distribution of a questionnaire.

**4.2 Proposal:** To arrange for a questionnaire leaflet to be printed and delivered at an estimated print cost of £50.—double-sided colour A4 sheets.

Proposed Cllr Winning

Cllr Challoner-Walker

**Motion 4.2**– That the Council approve the proposal at 4.2 to print leaflets at an estimated cost of £50.

**Resolution** – the motion was carried unanimously.

Cllrs Stevenson and Challoner-Walker offered to take this forward.

**5. Date and time of forthcoming meetings.**

The Council agreed that the next meeting will be held on 16 January 2023 in Terrington Village Hall at 19.00h.

It was proposed that subsequent meetings be held on  
13 March 2023

As 8 May 2023 is a Bank Holiday – 15 May 2023 is suggested

10 July 2023

11 September 2023

13 November 2023.

The meeting closed at 20.58h