

Subject: Emails from James Farmery who gave permission for them to be published on the website at the Parish Council meeting he attended on Monday 11th May.

Below is the communication between myself and James.

On 14 Apr 2026, at 11:04, patringtonpc <patringtonpc@btinternet.com> wrote:

Hello James

Thank you for the information and I would like to ask if you would meet with myself and 2 or 3 of the Parish Councillors to discuss the invoice and the removal of the trees. You may or not have heard Helen Murphy has resigned and the situation around the removal of the tree was not ideal and we would like to meet and explain and resolve the matter.

When is a convenient time for you it can be day or evening. I will just need a days notice to inform the Councillors.

Kind Regards

Diane

On 14 Apr 2026, at 11:14, James <james@yorkshiretreesurgery.co.uk> wrote:

Hi Diane

Yes I had heard about Helen leaving but did not know it was anything to do with the tree. What did she do wrong regarding the tree please? It was absolute common sense to get it removed asap. The snapped tree was heavily leant against another tree which had a cavity at the base which was leaning towards Marks house. Should the tree have failed with the extra weight sat on it, it would have crashed into Marks house without warning to where his children slept.

Any person would have/should certainly have made that decision. It was the correct decision when life is potentially at risk.

What do we need to discuss please?

Best regards

James

Yorkshire Tree Surgery

07739140957

www.yorkshiretreesurgery.co.uk

On 14 Apr 2026, at 11:35, Patrington Parish Council <patringtonpc@btinternet.com> wrote:

Hi James

Helen and Mark didn't follow the correct procedure and the land was not owned by the Parish Council but the Crown and I advised Helen of this and she still went ahead.

We are not questioning what you have done. However the Parish Council have financial regulations and standing orders which we have to follow when spending public money and Helen and Mark did not follow these so we are hoping to speak to you to explain.

We wish it hadn't come to this because we all know you and it is a small community so if we can meet and talk we can get everything sorted.

If you want to meet anytime today or this evening let me know it will be a friendly informal chat but I can not do it on my own I need 2 councillors with me as that was agreed at the meeting last night.

Kind Regards

Diane

On 14 Apr 2026, at 11:50, James <james@yorkshiretreesurgery.co.uk> wrote:

Hi Diane

Happy to meet today at any time as I'm only local.

Just let me know when suits

Best regards

James

Yorkshire Tree Surgery

07739140957

www.yorkshiretreesurgery.co.uk

On 14 Apr 2026, at 12:02, Patrington Parish Council <patringtonpc@btinternet.com> wrote:

Thanks James

I will get something sorted and get back to you.

Diane

Cllr D Snaith and I met James at 3.45pm in the Village Hall. Then I received the below emails.

On 14 Apr 2026, at 18:08, James <james@yorkshiretreesurgery.co.uk> wrote:

Hi Diane

I hope I'm not overstepping, just trying to provide solutions rather than problems. However, please don't think this is me taking away your clear expertise on the parish rules in any way.

The issues as I see it are:

- 1 - clerk should have approval of all works
- 2 - shouldn't spend public money outside of parish area
- 3 - land not belonging to parish

However, as the parish Constitution states, (point 5.3) emergencies can be exempt from Clerk approvals etc.

Also, a quick search shows parish councils can spend public money on projects outside of immediate boundary, if this expenditure directly benefits the residents, as it does in this case. Regarding the 3rd

point, I can't see the crown not providing retrospective approval of the works considering this was an emergency, within metres of the parish boundary and also not a cost to themselves. I will await to hear yours and the other councillors feedback on information provided within this email.

Best regards

James

Yorkshire Tree Surgery

On 14 Apr 2026, at 18:52, Patrington Parish Council <patringtonpc@btinternet.com> wrote:

Hello James

Thank you for your email and will reply to you when have spoken to my Councillors.

There are couple of questions I would like to ask what do you mean by Parish Constitution and which Parish boundary are you referring to as the Parish Council do not own any land on Westgate Manor.

Kind Regards

Diane

From: james@yorkshiretreesurgery.co.uk

To: patringtonpc@btinternet.com

Sent: Tuesday, April 14th 2026, 19:44

Subject: Re: Section 211 exemption Westgate Manor

Hi Diane

When I refer to the constitution, specifically in Patrington's case, in the absence of a formal constitution, I am referring to your governing documents, in particular the financial regulations document. Concerning where the tree was situated, it was within (approx 100) metres of the parish boundary line (footpath alongside main road).

A number of parishioners (including the residents of Westgate Manor - regardless of ownership of the land), were within close proximity of a very dangerous tree. Not to mention the parishioners who lived in the house where a dangerous tree was overhanging their property, their children's bedroom. The same parishioners who pay their council tax and play a large part within the community. Just because they don't live on parish council land, does not mean they are any less important than a parishioner who does.

Helen and Mark both made a call that evening, to keep their parishioners safe. This in my opinion, fits entirely within my comments detailed in the previous email. The works were firstly classed as an emergency (proven by ERYC exemption of Conservation guidance granted on the tree), and secondly directly benefited the parishioners.

Can I please request that copies of this email thread be made public at the next meeting.

Best regards

James

On 15 Apr 2026, at 08:18, patringtonpc <patringtonpc@btinternet.com> wrote:

Good Moring James

Thank you for clarifying what you mean and I will reply once they are discussed with the Parish Councillors.

Your email thread will be forwarded to the Councillors before the meeting and be made public at the next meeting.

Kind Regards

Diane

On 16 Apr 2026, at 08:02, James <james@yorkshiretreesurgery.co.uk> wrote:

Hi Diane

Another message to be made public please. I am awaiting to see the minutes of the previous meetings, but decided to send this through before hand.

I was unaware of anything negative towards the emergency dismantle of two horse Chestnut trees which we carried out on Westgate manor on Friday the 13th of March until the 14th of April.

My correspondence to this point was only through Diane to say my invoice would be paid on the 13th of April. The date of the last meeting.

For context on how I became involved. On Thursday the 12th of March I was working on a job for the RSPB at kilnsea lagoons improving the nesting habitat for the little tern colony. It was an extremely windy day and I received a few emergency calls regarding trees throughout the day. On my way home with the JCB Fastrac and trailer carrying a hired 14t excavator I received a call from Mark Theaker asking for assistance as a very mature Horse chestnut tree had collapsed in the storm and was resting on another tree which was leaning towards another household. I said I would be there as soon as I could. I parked the tractor and trailer at the end of Westgate manor and walked to the tree on foot. When I arrived at the site I was met by Mark Theaker, Helen Murphy and Mark Samson who lives in the property towards where the tree was leaning. The situation was quite severe. A mature horse chestnut tree had snapped at the base and collapsed into another mature horse chestnut tree which sat next to it. The tree was heavily leaning into it with a lot of weight resting on the remaining tree. The remaining horse chestnut had forever grown at an Angle towards Marks house as it had always struggled for light because of its larger neighbour. As the larger tree had collapsed Into it, it had tore through the canopy of the remaining tree causing huge wounds as limbs had ripped from it. It also had acavity at the base.

My initial assessment was the trees needed dismantling as soon as possible as if the remaining tree failed it would collapse into Marks house. Mark told me his daughter slept in the room on the corner where the tree was the closest too. I advised Mark to move his daughter out of the room until the tree was made safe. These trees were an emergency. I offered a quotation of £1500+vat to dismantle both mature trees to ground level removing all materials from site the following morning.

Both Helen and Mark were present during this conversation. Helen asked, could we just make the trees safe. My response was, yes, but we still need to dismantle the trees to make them safe.Both Helen and Mark made the decision to carry out the works the following day with the intention of keeping, Mark and family safe from a potential life threatening disaster.

I then left site, got home, picked up my truck and went to see other customers who had tree failures through the day. The following day, the trees were dismantled and removed successfully.

On Tuesday the 14th of April I received the Emails from Diane asking to meet up with Diane and 2 or 3 parish councillors to discuss the trees and the circumstances surrounding it. At this point I had no idea an emergency meeting had been summoned before hand and the fact that Helen felt she needed to resign because of her actions on that day.

At 3.45 on the 14th of April I met in the village hall with Diane and only 1 councilor, councillor Snaith. At this meeting I was told that Helen had resigned, and it would be illegal for the parish to pay myself as the trees was not owned by the parish. Diane got upset, councillor Snaith comforted her. I left. Diane at the time on the incident was in Japan and advised Helen via WhatsApp not to carry out the works. Helen made her own call on the day stood before the dangerous trees and requested me to carry out the works to protect the parishioners of the village. Should the work not have been carried out, and failure happened in the second tree, I feel Helen and Mark would have been incredibly ridiculed/scrutinised by the whole parish and beyond as tragedy could have genuinely happened. It seems to me Helen was in an incredibly difficult position, but to myself, with an experience in this matter. She made the correct call. Life is more important. So back to my current situation. I am being told I cannot be paid because it would be illegal, and the parish councillors could be prosecuted should they do so. As told to me in my meeting.

I have not the willingness to obtain legal advice on this scenario at present. However, I have 14923 connections on LinkedIn. In the past it has proved an amazing platform to gain advice. I will not name the parish, but apart from that I am going to post all details on the event and specifically ask for advice relating to what has happened. I would like advice on parish council governance, especially for what I have researched, financial regulations document point 5.3 regarding emergency situations. Each parish is slightly different. If Helen was correct in her decision, the parish councillors owe her a huge apology. If she was incorrect, I'm thinking she's the person who would still not regret her decision as her decision made sure a family of her parishioners were safe. She was a well loved and respected Chair.

From my point of view. Is it "illegal" for the council to pay me? (As informed by DC on the 14/04/26) I would like to be provided with evidence of this, as in regards to myself if there was an error, it certainly was not to do with the works completed by myself, therefore payment still needs to be made.

In a future email, no doubt before the next meeting I will share my post and the responses. Should I need to seek legal advice or small claims court in the future, should payment not be made. Unfortunately this is an action I will take. I am a small business. I was instructed to carry out a job by the chair of the council in emergency conditions. This my team carried out to perfection. My company deserves to be paid for the works carried out.

I am beyond upset about this whole situation. Especially with it being in my childhood and majority of adult life parish. However, business is business and I would do the same for any other Parish that this happened too. The fact is, it never has happened before. If allowed, I will be at the next meeting. These emails will be made public prior. Should anyone want to ask me any questions. I will be there to answer.

Best regards

James

From: james@yorkshiretreesurgery.co.uk

To: patringtonpc@btinternet.com

Sent: Friday, April 17th 2026, 10:20

Subject: Re: Section 211 exemption Westgate Manor

Good morning Diane

Could you confirm receipt of the Email sent at 8.02 16/4/26 please

Best regards

James

Yorkshire Tree Surgery

From: patringtonpc@btinternet.com

To: james@yorkshiretreesurgery.co.uk

Sent: Friday, April 17th 2026, 11:19

Subject: Re: Re: Section 211 exemption Westgate Manor

Hello James

Thank you for your email and I did not reply yesterday as I only work part time and was not working yesterday.

I can confirm I have received the email and all our meetings are open to the general public and we look forward to seeing you at our May meeting on Monday 11th May at 7.00pm. On the 11th May we will first hold the Annual Parish Meeting, then the

Annual Parish Council meeting and then the May Parish Council meeting. The first 2 usually take up to 30 minutes but I wanted you to be aware what will happen. At all our parish Council meetings there is a period of up to fifteen minutes for members of the public to ask questions of the Parish Council or to make representations about a matter to be discussed at the meeting. If you wish me to do so I can send you a copy of the agenda or you can view it on our website.

The email thread will be sent to the Councillors before the meeting and be made public at the meeting.

Kind Regards

Diane

Thursday, April 30th 2026, 07:47

Good morning Diane

Following our meeting on the 14th of April, I would just like you to confirm a few things that you told me via email please.

You said it was against the law for the parish council to pay me for the work we carried out. Is this correct please?

You told me that if you did pay me each Councilor could be prosecuted.

Which department of the EYCC would prosecute you please?

When will the minutes from the last two meetings be made public please?

Thank you in advance. Just preparing for a couple of meetings coming up and ready for the next Parish meeting.

Best regards

James

On 1 May 2026, at 12:43, patringtonpc <patringtonpc@btinternet.com> wrote:

Good Morning James

Please refer to the previous email I sent you.

I have forwarded all your emails onto the Parish Councillors and they will be discussed at the meeting on Monday 11th May. The draft minutes and the agenda will be on the website from Wednesday 5th May or I can send you a copy if you wish me to do so.

If you send any further emails before Tuesday I will not respond as I have previously said I am part time and I have finished my work for the week.

Kind Regards

Diane

1/5/2026 at 12.05 final email from James

Hi Diane

I am not referring to the previous email. I am referring to the words you used in our meeting on the 14th of April

Best regards

James

Yorkshire Tree Surgery