

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING

Held on 21 May 2018 at

The Annexe, Mechanics Institute, Kirkby Malzeard

The Meeting Commenced at 8.15pm following the Annual Parish Council meeting.

Present: Councillors Howard Mountain (Chairman), Geoff Lobley (Vice-Chairman), Ruth Broadley, Jane Aksut, Peter Saxon, Geoffrey Berry and Alan Brownlee, with Jen Hurford (Clerk), and 7 members of the public.

1. Welcome and apologies for absence.

The Chairman welcomed everyone to the meeting and noted apologies from County Cllr Margaret Atkinson and District Cllr Nigel Simms.

2. Declarations of Disclosable Pecuniary Interest, Other Interests and Close Association.

Cllr Lobley declared a 'Close Association' for item 8c, and Cllrs Berry and Broadley for item 7a/8a, and they took no part in the discussion or vote on these items.

3. Approve the Minutes of the previous Parish Council meeting held on 30th April 2018.

The minutes of the Council meeting of April 30th were confirmed as an accurate account of the meeting. Proposed by Cllr Broadley, seconded by Cllr Lobley and signed by the Chairman.

4. Updates on Action Points from previous meetings not dealt with elsewhere on the agenda:

- a) Dallowgill noticeboard – the Chairman confirmed a site for relocation was still being sought and that both the new board and the original at the Old School were being used.
- b) Highways Yard, Laverton – the Clerk confirmed receipt of the cheque for rent paid in error to Masham Parish Council had been received and cashed in.
- c) Consider any further response from NYCC in respect of Common Land at Woodhouse Bogs, Winksley – the Chairman reported Azerley Parish Council had still failed to respond to NYCC over the matter.
- d) Response from Mechanics Institute committee re use of laminator – the Chairman confirmed the MI's confirmation of KMLDPC kindly being able to use their laminator. **Action: Clerk to purchase laminator pouches for when next required.**
- e) Painting of phone kiosks in Kirkby Malzeard and Laverton – the Chairman reported that BT had confirmed works were scheduled but no timescale could be given.

5. Correspondence.

a) HBC Parish Consultation meeting, which will take place on Thursday 28 June 2018 at 6.00 pm at Darley Memorial Hall, Sheepcote Lane, Darley. To confirm attendees and potential questions – the Chairman confirmed his offer to attend. **Action: All Cllrs to consider questions to be submitted.**

b) Police and Crime Commissioner for North Yorkshire - request to take part in Rural Crime survey and display of poster – following discussion it was agreed this should be publicised on Facebook and for the Clerk to collate answers to the survey. **Action: Cllr Brownlee to publicise and Clerk to circulate answers to Cllrs for approval.**

c) Harrogate Borough Council request to take part in survey on their Welfare Support Strategy – following discussion it was agreed this should be publicised on Facebook and for the Clerk to collate answers to the survey. Cllr Brownlee also suggested that the Council's Facebook page could be improved to better communicate with residents and offered to take responsibility for this aspect which was agreed by Cllrs. **Action: Cllr Brownlee to publicise and Clerk to circulate answers to Cllrs for approval.**

d) The Chairman also confirmed that e-mails had been received and responded to, from a local resident, Mr. D. Robinson concerning an alleged remark made to him by another member of the public, Mr. D. Fielder, within a private conversation whilst last month's meeting was taking place, together with a subsequent incident outside the Hall which Mr. Robinson felt was of an intimidating nature. None of the Cllrs present, or the Clerk heard the remark, although one member of the public had confirmed that she had both heard the remark and witnessed the incident. Mr. Robinson suggested that District Cllr Simms had confirmed to him that he had also heard the remark and it was agreed that Cllr Simms be contacted to verify this. Mr. Fielder had provided an explanation of the incident to the Chairman which had been passed on to Mr. Robinson and the Council suggested that if he remained concerned about the matter that he refer it to the Police. The Chairman said that the Council clearly condemn any disorderly behaviour by anyone during or outside its meetings and they will try and seek further clarification once the response from Cllr Nigel Simms had been received. **Action: Chairman to contact Cllr Simms for verification and then contact Mr. Fielder for his version of events.**

6.Planning – notification of recent decisions made by Harrogate Borough Council:

a) 18/01256/FUL – Garden House, Ripon Road, Kirkby Malzeard – Demolition of existing garage. Erection of garage. Formation of gravel driveway. – c/o agent – Approved subject to conditions.

7.Planning – recent applications made to Harrogate Borough Council. The Parish Council will provide a response on the following cases:

a) 18/01726/OUT – Land Comprising OS Field 5419, Galphay Road, Kirkby Malzeard – Outline application for the erection of 2 no. dwellings with access considered – Atkinson.

The Council decided it neither objected nor supported the application but wished to make the following comments; the Council wish to express concern about the impact which this proposal may have on the landscape character and natural beauty of the area; that given the narrow width and busy nature of Galphay Road there were general concerns about the safety of road users and pedestrians in this locality; and that as permission has been granted recently for three other developments on land in the vicinity of 'Parkfield', one of four houses, one of two houses and one single plot, that this fourth site should be totalled with those for the purpose of assessing commuted sums and also for calculating the provision of 'affordable' housing. **Action – Chairman to submit response to HBC.**

b) 17/04308/OUTMAJ – Land Comprising Field at 422819 474158, Back Lane, Kirkby Malzeard – outline application for the erection of up to 37 dwellings and associated works with access to (but not within) the site considered – Vernon Land Partnership (Kirkby Malzeard) Limited. This application originally made in 2017 is being reconsidered as the number of units has been reduced from 'up to 47' to 'up to 37' and the access repositioned.

The Council decided it neither objected nor supported the application but wished to make the following comments; the Council would prefer housing developments of this scale to be at the Eastern end of the village, primarily to avoid more traffic along Main Street, and possibly also along Back Lane, and that a more detailed report on the Highways issues should be obtained dealing with all roads in and around Kirkby Malzeard, covering speeding of vehicles, parking on Main Street and all other relevant matters. There were now concerns that as the access has been repositioned nearer to the junction of Laverton Road and Kirkby Moor Road this may be potentially more dangerous than the previous position and would ask that this be closely examined with the suggestion that the 30mph zone be extended some distance to the South of the Kirkby Moor Road junction; to note that the village is situated with the Nidderdale AONB and any recommendations by the Joint Advisory Committee of the AONB should be considered; the issue of the condition and adequacy of the existing foul and surface water sewers had been a concern for some residents but is no longer seen as grounds for objecting to the application; and that it be ensured that regardless of how high the development costs are the 40% affordable housing element be guaranteed. **Action – Chairman to submit response to HBC.**

8.Planning – Planning Appeals recently commenced. The Council will consider if it wishes to make any further written representation on these cases and if so approve responses:

a) 18/00031/NREFPP – Land Comprising OS Field 5419, Galphay Road, Kirkby Malzeard – Outline application for the erection of 2 no. dwellings with access considered – Atkinson

(17/05482/OUT). The Council agreed that comments would be made to the Inspectorate in line with those made in item 7a.

b) 18/00033/NREFPP - Grey Gables, Laverton – Outline application for the erection of three dwellings with live/work units with access, appearance, scale and layout considered – Belgrave Property (17/00331/OUT) – The Council agreed that their original objections would be sent to the Inspectorate to confirm their position.

c) 18/00025/NREFPP – Kendall Bank, Carlsmoor, Dallowgill – Siting of Static Caravan for Office/Light Industrial Use (Use Class B1) – Fountain-Hewitt (17/03053/FUL). – a member of the public representing the applicant indicated that a document had been provided to HBC/Planning Inspectorate confirming that the caravan would be timber clad with an explanation the nature of the business it would support. Cllrs agreed to defer a decision until the interim meeting on 1st June to allow for an examination of this document.

Action – Chairman to submit responses to the Planning Inspectorate for items 8a and 8b.

9. Tour De Yorkshire on May 6.

The Chairman spoke as the committee representative about the finances and confirmed the event incurred no loss for the Council to cover and that the balance of profit would be shared amongst local organisations. There had been no insurance aspects relevant to the Parish Council to make decisions upon. ‘Thanks’ were given by the Council as a whole, to all committee members and volunteers involved in the event. It was confirmed that the flags, bunting and flag frames purchased by the Council using the HBC grant were being stored for the time being at the Chairman’s property and these would be added to the Asset Register when next assessed.

10. Footpaths.

Back Lane to Ringbeck river – the Clerk confirmed receipt of leaflets and posters from HBC Dog Warden and approval from responsible farmer for signage and bins to be erected, but still awaited clarification of bin emptying responsibilities from HBC. **Action: Clerk to erect signage and chase HBC for a response.**

11. Grass cutting.

The Chairman confirmed the contractor Steve Buckton had asked to revise their quote for this year from £3,583 to £3,800 to reflect increased costs and had indicated that they were no longer VAT registered. The Council agreed that the contractor was carrying out the work to a good standard and was flexible in respect of events such as the T de Y and Yorkshire in Bloom judging. The revised figure was approved as was the previously agreed 5% increase for next year but tenders will be sought from other contractors as well as Bucktons, for 2020 onwards. **Action: Chairman to confirm acceptance of revised quote with Bucktons.**

12. Inspection of Council Property Assets

a) reports from Councillors and Clerk on condition of assets - the Clerk confirmed inspection of the Pinfold and Market Cross on 21st May with no untoward observations to report, as did Cllr Lobley of Greygarth Monument on 19th May.

b) Progress report on erection of Caution sign for Greygarth Monument – Cllr Lobley confirmed signage was put up on 19th May but noted the stile to the approach was still not fixed.

Action: Cllr Lobley to liaise with landowners.

13. Children's Play Area

a) Consider latest monthly report from DTMS – no report for the month was available but confirmation was given from the Chairman that works to tarmac previously advised as being necessary by DTMS were for Sawley playground, not Kirkby Malzeard's and so no further action was necessary.

b) Progress report on transfer of Play Area lease from HPFA to Parish Council – despite further communication with HBC Legal Department draft documents were still awaited.

14. Highways Issues.

The Chairman reported that potholes in Laverton and on Long Swales Lane had finally been repaired but other outstanding items such as the signpost in Laverton and the cattle grid near Malaby House, Dallowgill would need to be pursued. The Clerk also confirmed her attendance at the Area 6 Parish Portal Workshop on 29th May and would report on meeting at the next meeting.

New items to be raised with NYCC, from Councillors and public were;

a) Burst pipe in road by Alpha, Longswales. **Action: Clerk to report to Highways.**

15. DTMS Task List.

The only new item to be added to the task list was the cutting back of Snowberry Bushes on the Ripon Road side of the Market Cross junction to improve visibility on that corner. **Action: Clerk to instruct DTMS.**

16. Financial items:

a) Bank statements – there was no new statement from HSBC available, however the Clerk confirmed funds had been received for the defibrillator, together with the first Precept sum and the rent for Laverton Highways Yard.

b) Cash Book – up to date record of payments and receipts was circulated. The contents were noted and approved.

c) Bank signatories – the Clerk clarified HSBC had asked for further alterations to the mandate form so that any two of four signatories could sign cheques and Cllrs agreed to these amendments.

Action: Clerk to deliver to HSBC branch.

- d) The payment to Clerk for £6.49 for reimbursement of stationery was approved.
- e) The payment to Beyond Digital for £170 for printing leaflets (from T de Y grant) was approved.
- f) The payment to Jeni Cropper for £22.50 for printing at Ripon Business Services (from T de Y grant) was approved.
- g) The payment to Highside Timber for £108.00 for frames for flags (from T de Y grant) was approved.
- h) The payment to David Robinson for £215.00 for flags from Starbeck Educational Resources (from T de Y grant) was approved.
- i) The payment to David Robinson for £85.00 for Bunting from Starbeck Educational Resources (from T de Y grant) was approved.
- j) The payment to David Robinson for 26.98 for Cable Ties from Gocableties Ltd (from T de Y grant) was approved.
- k) The payment of premium to BHIB for insurance policy £544.45, as determined at Annual Parish Council meeting, was approved.

17. Any Other Business.

- a) A member of the public asked if the Council were aware of who had been responsible for the painting of graffiti type artwork on the Former Henry Jenkins frontage but no information was available.

18. Date of next meeting: Monday 25 June 2018 at 7.15pm in the annex room of the Mechanics Institute, Kirkby Malzeard. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 15 June 2018 please.

The meeting closed at 10.00pm

Dated 30/05/2018

PARISH CLERK Jen Hurford, Holmes Cottage, High Walk, Kirkby Malzeard HG4 3RY (Postal enquiries only)

Tel: 01765 650363 Email: clerk.kmldpc@outlook.com

Agenda also available on the Parish Council website www.kmldpc.btck.co.uk Facebook: Kmldpc Parish Council