

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING held in the The Annex, Mechanics Institute, Kirkby Malzeard on Thursday 22 June The meeting commenced at 7.15

Present: Parish Councillors Howard Mountain (Chairman), Mike Hurford (Vice-Chairman), John Peacock, Geoff Lobley, Gerry Mass, Ruth Broadley and Linda Johns (Clerk), District/County Councillor Margaret Atkinson and 2 members of the public.

1 Welcome and apologies for absence

The chairman welcomed everyone to the meeting. Cllr Jackson sent her apologies.

2 Declarations of Disclosable Pecuniary Interest, other interests or close association by Councillors for any item on the agenda.

There were no declarations

3 Approve the Minutes of the previous Parish Council meeting held on May 22 2017, the Annual meeting of the Council also held on May 22 2017 and the Interim Parish Council meeting held on June 5 2017

- a) The minutes of the Council meeting of May 22nd were confirmed as an accurate account of the meeting. Proposed Cllr Mass; seconded by Cllr Peacock and signed by the Chairman.
- b) The minutes of the Annual Council meeting of May 22nd were confirmed as an accurate account of the meeting. Proposed Cllr Broadley; seconded by Cllr Hurford and signed by the Chairman.
- c) The minutes of the Interim Council meeting of June 5th were confirmed as an accurate account of the meeting. Proposed Cllr Lobley; seconded by Cllr Mass and signed by the Chairman.

4 Action Point Register

The following updates were given:

27.03.2017 – 4c- item closed

27.03.2017 – 12 – HM has contacted Mrs Jane Earnshaw but she had a different poster to that originally considered. County Cllr Atkinson recommend the 'We are Watching' posters used by the Council. HM to contact HBC.

27.03.2017 – 20 – HM advised still on going and looking for 2 volunteers

22.05.2017 – 5.2 – item closed

22.05.2017 – 9a – item closed

22.05.2017 – 10a – item closed

22.05.2017 – 14 – item closed

22.06.2017 – 24b – BT has asked for photos. HM to do and send

5 Matters arising from the previous meeting

There were no matters arising

6 Correspondence list

The council noted the list of correspondence that had been received by the clerk and either circulated or on the agenda. The Clerk advised that it would be better if all items be circulated on a weekly basis and that if a councillor wished to formally respond or discuss any item to advise the clerk and add to the next agenda. This will be put into practice and monitored.

7 Henry Jenkins – to approve a response to Harrogate Borough Council regarding the Asset of Community Value application

The council considered the comments received following publication of the revised response. An amendment was made to reflect that the owner had bought the property by private treaty not at auction as previously understood but otherwise the response (which comprised the original response made in January subject to the current amendments and updates) was approved. It was proposed by Cllr Hurford, seconded by Cllr Broadley and the Council voted unanimously in agreement.

**8 Planning – recent decisions made by Harrogate Borough Council:
The council noted the following decision**

- a) 17/01319/DVCON – Autumn House, Back Lane, Kirkby Malzeard, HG4 3SR – Variation of Condition 2 (approved drawings) of Planning Permission 16/03181/FUL to allow for alterations to approved plans. – Mr. and Mrs. J Blackburn. – APPROVED subject to conditions

9 Planning – recent applications made to Harrogate Borough Council: (Where applications are received after the publication of the agenda they will be discussed but a decision will be deferred for 10 days to allow full consideration by Councillors, and representations from the public)

- a) 17/01828/FUL – Thorstad, Back Lane, Kirkby Malzeard, HG4 3SH – Alterations to dormer windows and roof; application of render to main house and formation of

pitched roof to garage – Blakey. The council had no objections - Proposed Cllr Hurford; seconded by Cllr Peacock.

- b) 17/02370/FUL - Town End Farm, Kirkby Moor Road, Kirkby Malzeard - Removal of existing 15 meter high telecommunications pole, installation of an 18 metre high telecommunications lattice tower with three antennas, and installation of ground-based equipment cabinet. The council had no objections - Proposed Cllr Mass seconded by Cllr Mountain.
- c) 17/02492/DVCON – Mossie Mire House, Laverton – application for variation to Condition 6 to planning permission 17/00389/FUL. As this was a technical issue regarding routine investigation of contamination the Council decided it would make no response.

10 New Data Protection Regulations

The clerk advised the council that new legislation was coming in in May 2018 regarding dealing with personal data and that possibly a Data Protection manager would need to be identified and that this role would fall under the role of the clerk, although at the moment clarification was being sought as to whether this would apply to Parish Councils. The Council laptop is already password protected. The Council did not deal in a great deal of personal or sensitive data, although storage of the electoral roll would possibly need to be locked away.

11 Highways Issues

a) Speeding of farm vehicles particularly on Main Street, Kirkby Malzeard

HM advised that he had spoken to the police who advised that from past experience the tractors are unlikely to be breaking the speed limit of 30mph although it does appear as if they are, and that the police did not have the resources to monitor speeding. They did ask that members of the public report any illegal activity such as mobile phone use whilst driving. Highways had been asked previously to level the unevenness in the road surface which exacerbated the problem but it did not meet their repair criteria. The public were asked to continue to report problems to the council on this issue.

b) Report on meeting with Highways Inspector re ditches and culverts at Laverton

HM has met with the Highways Inspector and have identified problems to the ditches and culverts on Missies Lane and Dallowgill Road, Laverton which will be attended to shortly.

c) Progress on previous reported issues

- i) The clerk advised the council that Highways have asked their contractors to clean/repair the gullies to the sides of Swetton Bridge, Dallowgill and to clear the Church Bank gully outside the school in Kirkby Malzeard.
- ii) The surface water sewer at the junction of The Green and Main Street has been cleaned out and a grille fitted to limit future blockages.

d) Any new defects to be reported.

Potholes near Sycamore Farm, Ringbeck and near the Swetton cattle grid at Dallowgill.

12 Children's Play Area – update on grant application

The chairman advised that the grant application had been completed but it has come to light that the application must be submitted either by the land owners or holders of a long lease. The application is back with Richard Lockey (HPFA). The other option was for the Council to consider taking over the lease of the play area from HPFA.

ACTION: HM to contact HBC about taking over the lease

13 Permanent appointment of Clerk following probationary period – approve revised hours and remuneration.

The clerk had advised the council that she was resigning her post as Clerk as she felt it was not possible to complete the role to the standard required in the 7 hours contracted and did not wish to increase her hours for personal reasons. She agreed to stay for another month to enable the council to find another Clerk. She advised the Council that after sorting out all the old files and refiling there appeared to be minutes missing and unsigned and also bank statements were missing.

ACTION: Council to advertise the post of Clerk asap.

ACTION: clerk to produce list of missing bank statement and minutes

14 Financial items:

a) Bank statements – details of balances, outgoings and income since last month.

Clerk advised bank statement April/May had arrived and all was ok

b) Cash Book

Cash book circulated for information.

ACTION: Clerk to add April/May bank statement to cash book

c) Approve reimbursement of Clerk for stationery items £53.98

Clerk advised that amount was £63.98 and provided receipts. Council approved the expenditure

d) Consider report from Internal Auditor for 2016/17 financial year

The Council noted the report which was as reported by the Chair at the previous meeting.

- 15 DTMS Task List – report on work carried out and new items to be added to the list**
- i) Clerk advised that DTMS has been asked to clean signs and cut hedge at back of Henry Jenkins. The signs are still to be cleaned and hedge cutting cannot be completed until hedge cutting is permitted later in the year.
 - ii) HM requested DTMS to carry out strimming the paths at Lamberts quarry and Laverton quarry and to redo the visibility splay at Kirkby Moor toad/Laverton road.
- 16 Grass cutting**
- The council noted there had been a delay in cutting Back Lane North but this had now been completed. Clerk advised that re-tendering for contract should be carried out when current contract ends.
- 17 Bus Shelter – consider quotes for repairs and approve contractor**
- The clerk advised that she had still not received any quotes but will chase up.
- ACTION: clerk to chase for quotes.**
- 18 Post Van – consider any action in the light of its prolonged recent absence**
- Council had been advised that problems getting the van repaired had led to the recent long absence, but assurance was given that the owner was committed to providing the service. It was suggested that a poster goes up in the Mechanics window outlining all the services that the van provides.
- ACTION: HM -Poster to be produced and posted in the window of the mechanics**
- 19 Common Land – report on progress with works required**
- HM reported that Wards had completed cutting back the low branches at Lamberts and the rest of the work is to be started by end June. HM also reported that he had met with the NYCC Footpaths regarding the bridle path, as they are responsible for the surface upkeep. NYCC feel that it is currently in a suitable standard but will re-inspect in the Autumn, and would undertake repairs then if necessary particularly if the Parish council could provide some funds towards it. The Parish council is responsible for all strimming, tree maintenance and the gates. Stiles on other footpaths in the parish are the responsibility of the land owners and if defective the council will be contacting them to carry out repairs.

20 Defibrillator – consider whether to proceed with obtaining publicly accessible defibrillators for the Parish

The council discussed the options open for funds to install defibrillators around the parish (initially within Kirkby Malzeard village). Cllr Atkinson advised that she has a fund for small grants that is available on application to support local projects. The council also discussed the option of public fund raising by putting a leaflet into the Parish magazine, of using reserves and looking into any other small grants available.

ACTION: Cllr Mass to look at small grants available.

21 Any Other Business

- i) Motor Cross Event - HM reported that concerns had been raised by residents over the motor cross event over the previous weekend in Laverton. He had spoken to the police who also were unaware of the event. HM to clarify procedures for running such events with the organisers and write to the land owner requesting prior notification for any future events.
- ii) Draft Local Plan – An exhibition was being held at Ripon Town Hall on July 19 2pm – 7pm as part of further consultation on additional sites, including housing sites, which may affect the parish.

ACTION: Councillors to visit exhibition.

22 Date of next meeting: Monday July 31 2017 at 7.15pm in the School room at Greygarth Chapel, Dallowgill. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 17 July 2017 please.

Dated 30 June 2017

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