

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING held in

The Annex, The Mechanics Institute, Kirkby Malzeard on 27 November 2017

The meeting commenced at 7.20pm

Present: Parish Councillors Howard Mountain (Chairman), John Peacock, Geoff Lobley, Ruth Broadley, Gwynneth Jackson and Jen Hurford (Clerk), Margaret Atkinson (District/County Councillor) and 16 members of the public.

1. Welcome and apologies for absence.

The Chairman welcomed everyone to the meeting and noted apologies from Cllr Hurford (Vice-Chairman) and Cllr Mass.

2. Declarations of Disclosable Pecuniary Interest.

There were no declarations.

3. Approve the Minutes of the previous Parish Council meeting held on 30th October 2017.

The minutes of the Council meeting of October 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) Telephone kiosk repainting – BT have confirmed both Kirkby Malzeard and Laverton kiosks are on schedule of works for next year. **Action: Clerk to check again in May/June 2018.**
- b) Post van publicity – posters now displayed in the Mechanics Institute with services available and another with timetable.
- c) Dallowgill noticeboard – Chairman and Cllr Lobley meeting Highways officer regarding street furniture license on December 1. **Action – Chairman to gain permission from landowner as necessary if Highways agreeable.**
- d) Commuted sums – Chairman confirmed some progress had been made in ensuring any sums which arise from the Laverton Road development, if it proceeds, are allocated within this parish, but matter still not fully resolved. An up to date list of sums currently available has now been received. **Action – Chairman to continue discussions with HBC.**
- e) Highways yard lease – draft lease provided earlier today by NYCC for approval. **Action – Cllrs to approve at next meeting.**
- f) Speed limits – communication from Grewelthorpe Parish Council stating they are happy with road to Kirkby Malzeard as a 60mph zone rather than 40mph as suggested. **Action – Council to consider a wider scheme to improve traffic within the village.**

g) Woodland at Carlsmoor – Cllr Lobley in correspondence over permission for Fountains Forestry to cross land to undertake felling and has no concerns. **Action – Cllr Lobley to monitor and update Council accordingly whilst work is undertaken.**

h) Building materials on verge at West End, Kirkby Malzeard – Cllr Hurford clarified resident of Back Lane requires large deliveries to be deposited due to inability to access site via Back Lane. Materials are being removed as soon as contractors are able to do so. **Action – Cllr Hurford to monitor and liaise with resident if required.**

i) Matters relating to permanent employment of Clerk – confirmed that Clerk does not require a workplace pension. Agreed for Clerk to pay PAYE tax directly to HMRC. **Action – Equal Opportunities and Sickness Policies to be considered at a future meeting. Chairman to confirm compliance with Pension Regulator. Clerk to settle PAYE tax to date.**

5. Correspondence

a) Council informed of request from Civic Voice for a £50 donation to help fund their Parliamentary event about Conservation Areas. Council agreed to decline on basis the Parish does not have any Conservation Areas. **Action: Clerk to confirm in writing.**

b) Notification of road closure to Back Lane North from 4th to 8th December 2017.

6. Henry Jenkins Inn, Main Street, Kirkby Malzeard

Chairman explained that HBC had failed to notify the Parish Council that any representation about the Planning Appeal (against the refusal to give consent for redevelopment as housing) was required by November 25 and an extension had therefore been obtained until Tuesday 28. He read out a draft representation and a detailed discussion involving the owner of the property Mr. Fielder, the HJCC spokesperson Mr. Sadler, and members of the public representing both those who support and oppose the proposals for the property took place. It was agreed that in the light of Mr. Fielder's explanations regarding the evidence of prospective purchasers being turned away, that no weight be given to those; that the Parish Council would be provided with copies of the opinion survey currently being carried by the HJCC in order to validate it as far as possible; that the Council will write to the Plunkett Foundation to clarify the basis on which they are providing funding to HJCC; and that a meeting be arranged between the HJCC and the Mechanics Institute Committee to discuss areas where conflict may arise if the Henry Jenkins is opened as a Community Hub in the future. Chairman proposed and Cllr Broadley seconded that the prepared representation be sent to the Planning Inspectorate (a copy of which is posted on the Parish Council website), and this was approved by the Council. **Action: Above actions to be implemented as agreed.**

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

a) 17/04307/FUL - Stainmoor House, Laverton, Road Kirkby Malzeard - Enclosing of arch to the north elevation to form porch – Permitted.

- b) 17/03789/FUL – Sawpitts Farm, Laverton – erection of first floor and two storey extension (revised scheme) – Refused.
- c) TPO 68/2017 – Grey Gables, Laverton - tree preservation order taking effect, on a provisional basis, on 1 November 2017. It will continue in force on this basis for a further six months or until the Council confirms the order, whichever occurs the first. The owners expressed their views on the order. **Action – Matter will be referred to in conjunction with item on property under AOB.**
- d) 17/04818/PNF – Dallowgill Wood, Dallowgill – prior notification for track improvements and extension work – Prior notification not required.

8. Planning – recent applications made to Harrogate Borough Council.

No cases requiring response received this month.

9. North Yorkshire Youth ‘Open Meeting’ –

Chairman reported on recent public meeting held to gather opinions and volunteers for a proposed Youth Club in Kirkby Malzeard. Meeting was poorly attended but despite this 8 potential volunteers have now come forward. **Action – Council will continue to liaise with Vicki Lever and assist where possible.**

10. Footpath – Arrowfield, Main Street, Kirkby Malzeard

The recent obstruction of the footpath was discussed and the Chairman was able to report that following a letter from the Council the owners had removed the padlock to the gate and the path was now open again. The owners had expressed concern over vandalism to the gate and dog waste being left in the garden. Members of the public requested that the path be added to the Definitive Map of Public Footpaths and provided maps showing it as a footpath in the past. **Action: Clerk to write to owners requesting them to undertake Creation Order so that it can be added to the Definitive Map.**

11. Foul and surface water sewers – Kirkby Malzeard village

In order to resolve any problems with the sewers it was agreed to contact all residents who had raised the issue in relation to the proposed development on Laverton Road to ask for specific information so it can be referred to Yorkshire Water for investigation and remedial/upgrading work. Cllr Atkinson confirmed investigations by Yorkshire Water were being carried out on her land. **Action: Chairman to write to residents on the matter.**

12. Sustainable Transport

The on-going review by NYCC into congestion relief in Harrogate and Knaresborough was discussed and agreed that it does not directly affect the Parish, but that if the village expands,

public transport does need to improve for commuters. **Action: Chairman to send a brief response to County Cllr Atkinson.**

13. Draft budget for 2018-19

Projected figures for the next financial year were circulated with some reserves to be used so as not to increase the Precept further beyond the £12,000 agreed following the public exhibition in September. **Action: Councillors to agree a budget and precept request at the next meeting.**

14. Common Land in Parish

NYCC have confirmed that Coalpit Goal, Lamberts Quarry and Laverton Quarry are all Common land in the ownership of the Parish Council. Historically ownership of Woodhouse Bogs near Winksley was shared by Laverton and Azerley Parishes. Council agreed to hand over full ownership and responsibility to Azerley Parish. **Action – Chairman to confirm with Azerley Parish Council and NYCC.**

15. Defibrillator for Kirkby Malzeard

Chairman has obtained pricing of £1167 plus VAT for the defibrillator and cabinet, and £200 plus VAT for the installation by Merrin Electrical. Cllr Atkinson stated she will allocate the remaining £841.24 of her HBC grant fund, with the outstanding amounts to come from the Parish Council budget and public fundraising. Highside Playing Field Association have kindly agreed to cover the installation cost if it is sited at the pavilion. **Action – Chairman to approach the Doctors Surgery and Mechanics Institute to see if installation at their premises are an option before confirming siting on the pavilion.**

16. Inspection of Council Property Assets

Cllr Lobley confirmed inspection of Greygarth Monument, and the Clerk of the Market Cross and Pinfold, on November 27 with no untoward observations to report. **Action: Clerk to chase insurers on their recommendations for risk signs for the ladder at Greygarth Monument.**

17. Children's Play Area

Chairmain reported no progress from solicitor over the lease to the playground. Works to playground following annual inspection have yet to be carried out by DTMS. **Action: Clerk to follow up with DTMS.**

18. Highways Issues

Update on items previously reported provided from the Parish Portal. Noted that the road sign at Skellgill Bridge requires cleaning and the pothole West of Swetton Bridge requires filling. **Action: Clerk to request clarification from NYCC of meaning of 'Fulfilled' on task list and request works required.**

19. DTMS Task List

Clerk still awaiting plan from Highways in relation to work to Snowberry bushes on the Market Cross junction. Chairman clarified that Kirkby In Bloom volunteers will assist with litter picking but cannot be expected to be responsible for all areas. **Action: Councillors to monitor requirement of litter picking.**

20. Financial items:

- a) Bank statements – details of balances, outgoings and income since last month outlined.
- b) Cash Book – up to date record of payments and receipts for year circulated.
- c) VAT reclaim – Clerk confirmed VAT return ready for approval for submission.
- d) Payment to Buckton Homes and Gardens for £50.40 for removal of stones and debris to Main Street verges following electric works approved.
- e) Payment to Buckton Homes and Gardens for £735.00 for grass cutting approved.
- f) To consider two quotes for works on bus shelter and approve contractor – second quote still unavailable. Agreed that item be put on hold until Spring 2018.

21. Any Other Business

- a) Member of the public provided a map showing a footpath across land between Church Street and Longswales currently not in use. **Action: Clerk to inform owner and request a response.**
- b) Owners of Grey Gables expressed their opinions and asked questions about the Council's decision concerning the recent planning application. **Action: Chairman to respond in writing to offer advice.**
- c) Member of the public asked "How long have we been in Nidderdale and why?" A Cllr responded that it was since the Parish was categorised into an AONB. **Action: Chairman to seek a response from the AONB.**

22. Date of next meeting: Monday 18 December 2017 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 08 December 2017 please.

Meeting closed at 10:00pm

Dated 22/11/2017

PARISH CLERK Jen Hurford, Holmes Cottage, High Walk, Kirkby Malzeard HG4 3RY Tel 01765 650363

Email: clerk.kmldpc@outlook.com

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

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