

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING held in The Annex, Mechanics Institute, Kirkby Malzeard on 30 October 2017

The meeting commenced at 7:15pm

Present: Parish Councillors Howard Mountain (Chairman), Mike Hurford (Vice-Chairman), Geoff Lobley, Gerry Mass, Ruth Broadley, Gwynneth Jackson, John Peacock, Jen Hurford (Clerk), Margaret Atkinson (District/County Councillor), Peter Vernon (Vernon Land Partnership (Kirkby Malzeard) Limited), Richard Lockey (Highside Playing Field Association) and 11 members of the public.

AGENDA

1. Welcome and apologies for absence.

The Chairman welcomed everyone to the meeting. There were no apologies for absence.

2. Declarations of Interest.

Cllr Hurford declared a 'close association' for Agenda item 7d) and did not take part in the discussion or decision-making process regarding planning application 17/04495/OUT.

3. Approve the Minutes of the previous Parish Council meeting held on 25th September 2017 and the interim meeting held on 9th October 2017.

The minutes of both meetings were considered by Councillors and approved. For the 25th September minutes, it was proposed by Cllr Hurford and seconded by Cllr Mass, and for the 9th October it was proposed by Cllr Mass and seconded by Cllr Hurford that these be signed by the Chairman. Minutes signed.

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

a) Defibrillator – Cllr Mass confirmed that she has established that the only grant funding currently available would be from the fund which District Cllr Margaret Atkinson administers and the bulk of the cost (£1200 plus installation and training costs) would need to be generated by public fund-raising. The Parish Council would also look to contribute a sum from its budget. The practicalities of organising public CPR training will also be investigated. **Action – Chair to discuss CPR training with the First Response team, and fund raising with local organisations.**

b) Telephone kiosk repainting – Still no response from BT. **Action – Chair to contact BT again.**

c) Post van – Still no progress with obtaining publicity material from Ripon Post Office. **Action – Chair to contact the Ripon P.O. again.**

- d) Commuted sums – Corrected list still awaited from Harrogate Borough Council.
- e) Highways yard lease – Rent due in September overdue. Awaiting NYCC to produce a new lease. **Action – Chair to contact NYCC and request speedy resolution.**
- f) Transparency Fund application – Confirmation of a successful application to retrieve funds spent on Clerk’s additional hours.
- g) Speed limits – Chair has approached Grewelthorpe Parish Council with regards to 40mph zone between the two villages and they will discuss at their next meeting. Response awaited.
- h) Motor vehicles on Lambert’s Quarry – Signage now received and erected, with no recent sign of vehicular use.
- i) Access to Kirkby Malzeard School – Julia Temple of NYCC confirmed that our concern has been registered and that improvement works have been scheduled for Summer 2018.
- j) Woodland at Carlsmoor – Fountains Forestry have put forward scheme to manage approximately 7 hectares, mainly thinning work and replacement with native trees. Cllr Lobley indicated there was no need for the Council to get involved at the present time. **Action – Chair to confirm this with Fountains Forestry.**

5. Correspondence

- a) Bedding plants sale available from HBC discussed, however Cllr Gwynneth Jackson felt too expensive.
- b) Notification of planned road closure at Cross Hills in Grewelthorpe on 6th and 7th November 2017 between 09:30 and 15:30.
- c) Cllrs invited to Citizens Advice Bureau Craven and Harrogate Districts Annual General Meeting on Monday 6th November 2017 - none felt it essential.
- d) Sustainable Transport raised by Zero Carbon Harrogate to be discussed in more detail at next meeting time permitting.
- e) Notification of Ripon Tip Closure on Sunday November 5 and 12.

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

- a) 17/03029/FUL – Middle Biggin Farm, Kirkby Malzeard – erection of agricultural building for livestock purposes – Messrs. N W Vasey and Son – Approved.
- b) 17/00331/OUT - Grey Gables, Laverton – the erection of three dwellings with live/work units with access – Belgrave Property – Refused.
- c) Enforcement case 16/00418 - Swetton Farm, Dallowgill – concern was expressed that HBC have dropped the matter on the basis that retrospective consent would be granted.
- d) 17/03053/FUL – Kendall Bank, Kirkby Moor Road, Kirkby Malzeard – siting of static caravan for office/light (use class B1) – Fountain-Hewitt – Refused.

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

a) 17/04308/OUTMAJ – Land Comprising Field At 422819 474158, Back Lane, Kirkby Malzeard - For the residential development of circa 47 dwellings with associated works including vehicular access from Laverton Lane – Vernon Land Partnership (Kirkby Malzeard) Limited.

After discussing the matter at considerable length, the Council decided to neither object to, nor support the application but asked that concerns over the impact of traffic, conflict with the areas AONB status and the adequacy of foul and surface water sewers be fully investigated before any Consent was granted. Mr Peter Vernon, on behalf of the applicants, gave an undertaking that 40% of the housing would be Affordable, regardless of the financial viability of the remainder of the development. Those people having a local connection with ‘Ripon West Villages’ would be given priority for the affordable housing with the 19 dwellings likely to be split on a 70% rented and 30% shared ownership basis. District Cllr Atkinson confirmed that Harrogate Council’s approach to the issue of public transport was that this would improve if demand rose after the development was completed. The Chair also explained the situation regarding contributions to be made by the developers to the community. Whilst sums would be payable towards improvements to the Pinfold (£4,050), the village cemetery (£14,040) and to amenity greenspace at the Playing Fields (£17,280), as matters currently stood the sums towards Village Halls (£71,663) and Outdoor Sports facilities (£16,462.95) would not go to the Mechanics Institute and Highside Playing Fields respectively but would be allocated to Galphay Village Institute and Galphay Tennis Club, because of recent government legislation on such matters. The Parish Council feel that this is completely unacceptable and will liaise with the MIVH and HPFA committees, Harrogate Council and the developers to try and overturn this, taking legal advice and raising the matter with our MP if appropriate. **Action – Chair to submit decision to HBC Planning Department and to arrange meetings with all parties over the commuted sums issue.**

b) 17/04244/REM – Land comprising OS Field 5419, Galphay Road, Kirkby Malzeard – reserved matters application under outline permission 16/01974/OUT for the erection of 2 dwellings with attached garages, fences and formation of new access, appearance, scale and landscaping considered – Kitching/Briahaze Village Homes.

After referring to the plans provided the Council decided to object on the grounds that the proposed properties were too big and not in-keeping with surrounding properties, and that the proposed timber cladding to the garaging of one of the buildings was inappropriate. **Action – Chair to submit response on this basis to HBC Planning Department.**

c) 17/04293/REM – Parkfield, Galphay Road Kirkby Malzeard - Reserved matters application for 4 dwellings (layout, scale, appearance, access and landscaping considered) under outline permission 16/04101/OUT – Kitching/Briahaze Village Homes.

The Council decided it had No Objections. **Action – Clerk to submit response to HBC.**

d) 17/04495/OUT - The Grange Back Lane Kirkby Malzeard - Outline application for the erection of 5 no. dwellings with access considered – Mr. & Mrs. N Thompson.

After thoroughly discussing the matter the Council decided to object on the grounds that access from the site was unacceptable due to the narrow width of Back Lane, making it dangerous to pedestrians, and that due to the one way system further traffic would have to journey along Main Street. The re-alignment of existing hedging was also of concern. **Action – Chair to submit response on this basis to HBC Planning Department.**

e) 17/04307/FUL – Stainmoor House, Laverton Road, Kirkby Malzeard – Enclosing of arch to the North elevation to form porch – Mr. & Mrs. S Rasheed.

The Council decided it had No Objections. **Action – Clerk to submit response to HBC.**

8. Henry Jenkins

Further to the small fire at the premises, the owner confirmed that the doors to the property had been fully secured straight away and that the boarding up of the rest of the premises is not a legal obligation, but is in hand. He also indicated that the property was available to purchase for £450,000 and that the moratorium period during which community groups are granted priority to purchase under ACV rules, was now over half way through and no progress had been made by them. The HJCC spokesperson confirmed that they were obtaining an independent valuation and discussed the multiple potential ideas they hold for use of the building. The Council asked for full consideration be given to the effect that their proposals might have on existing amenities and the already over-stretched parking facilities on Main Street.

9. North Yorkshire Youth ‘Open Meeting’

A meeting is to be held on 15th November 6pm to 7.30pm at the Mechanics Institute, Kirkby Malzeard, to gather opinions and volunteers for a new project in Kirkby Malzeard. **Action – Chair to attend and report back.**

10. Consider Responses from the Public Exhibition held in September on the proposed increases to the Precept

Analysis of residents input prepared by Clerk reviewed showing that all participating residents agreed with the increase, with the vast majority feeling the proposed amount was reasonable. The Highside Playing Field was the most popular to receive more support,

followed by the Mechanics Institute, then by Kirkby In Bloom. **Action – to consider the increase in the Precept at next month’s meeting.**

11. Common Land in Parish

Following correspondence from NYCC, it has become apparent that the Pinfold was previously incorrectly recorded by them as Common land. The Parish Council remain the owners, although the whereabouts of the title deeds is not known, having probably being archived. It was proposed by the Chair Howard Mountain and seconded by Cllr Mike Hurford that the 2018 asset register be amended to reflect this in March, which was approved by other councillors.

12. Community Led Housing

Cllr Hurford informed the Council that the lack of any available land for development together with the provision of affordable housing on other recently proposed developments within Kirkby Malzeard are now negating the need for direct Community Led Housing. The Council agreed that Cllr Hurford should put on hold any further efforts at this time.

13. Community Emergency Team

Further to the inaugural meeting in September the C.E.T. are currently putting together a pool of local resources and skills which can be called upon at the time of any emergency. As the response for volunteers had been negligible local residents will now be approached directly. **Action – Chair to approach people directly for volunteering.**

14. Inspection of Council Property Assets

Chair confirmed inspection of Greygarth Monument and Lamberts Quarry on 20th October and expressed concern about the ladder and viewing platform arrangements at the Monument. Clerk confirmed inspection of Market Cross and Pinfold and that no maintenance work appeared necessary at present. **Action – Clerk to contact insurers on advice on suitable signage for climbing ladders and platform at Greygarth Monument.**

15. Children’s Play Area

Annual Safety Report now received and this will be passed to DTMS for any routine maintenance action. No high or medium risk items requiring immediate work were noted. Advice regarding a transfer of the lease to the Parish Council is still awaited from HBC. **Action – Chair to pursue this further with HBC.**

16. Highways Issues

Update on items previously reported given by Clerk and new matters raised by Councillors and public. **Action – Grass works at Swetton Bridge, Laverton’s signs to be checked and road condition on the southern outskirts of Laverton to be reported again by Clerk.**

17. DTMS Task List

Clerk confirmed Highways have agreed to the removal of some of the Snowberry bushes at Market Cross junction and now awaits a plan of works to be provided by them for DTMS to carry out. **Action – Clerk to obtain plan from Highways.**

Discussed that litter picking is no longer covered by DTMS but by Kirkby In Bloom, however there are areas not being addressed. **Action – Chair to liaise with Pippa Manson of KIB.**

18. Clerks Position

Cllrs considered and approved the Clerk’s position being made permanent following 3-month probationary period ending November 6th.

19. 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) Half year comparison of payments and receipts to budget circulated and discussed.
- d) The Council gave approval of payment to DTMS Ltd for £57.60 for Playground Inspections in August and September.
- e) The Council gave approval of payment to DTMS Ltd for £230.40 for Caretaker Duties in August and September.
- f) The Council gave approval of payment to Buckton Homes and Gardens for £420.00 for grass cutting in September.
- g) The Council gave approval of payment to Mike Hurford for £7.95 for the purchase of a padlock for Love Lane, to replace returned cheque issued to Judy Brennand on 24 April in error.
- h) The Council gave approval of payment to Clerk for £50.70 for purchase of office supplies.
- i) Two quotes for works on bus shelter for approval still awaited.
- j) The Council gave approval of quote of £360 from George Meer to overhaul noticeboard for Dallowgill. **Action – Chair to obtain street furniture license from HBC.**
- k) The Council gave approval of estimate Buckton Homes and Gardens for £21 plus VAT per hour for no more than 2 hours for clearance of stones from the verges of Kirkby Malzeard Main Street following NPower electrical works. **Action – Clerk to write to NPower requesting reimbursement for works.**
- l) The Council agreed payment to Playsafety Ltd for £66.00 for the Annual Inspection of the children’s play area.

m) The Council gave approval of payment to the Mechanics Institute for hall hire for Community Emergency Team meetings.

20. Any Other Business

- a) Cllr Peacock reported that they had cut back hedging to Lamberts Quarry from the adjacent farmland whilst undertaking other work, for which he was thanked by the Council.
- b) Cllr Peacock reported that stones were left on road following verge cutting at Ringbeck Nursery by proprietor. **Action – monitor next summer.**
- c) Storage of building materials on verge at western crossroads in Kirkby Malzeard reported. **Action - Cllr Hurford to speak to resident responsible.**

21. Date of next meeting: Monday 27 November 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 20 November 2017 please.

Meeting closed at 09:45pm

Dated 25/10/2017

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

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