

# KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

## MINUTES OF THE PARISH COUNCIL MEETING on Monday 27<sup>th</sup> July 2020 held remotely

The meeting commenced at 7.30pm. Councillors Pippa Manson (Chair), Peter Saxon (Vice-Chair), Geoffrey Berry, Jane Aksut, Howard Mountain, Geoff Lobley and Alan Brownlee, together with the Clerk, took part in the video conference with County Cllr Margaret Atkinson. No members of the public present.

**Note: The meeting was held remotely using video conferencing methods in accordance with legislation which came into force on April 4, 2020 as set out in ‘The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020’.**

It was confirmed by the Chair that all persons attending could hear and be heard prior to commencement of the meeting.

**1. Welcome. Apologies for absence from Councillors – approve reason why unable to take part.** All Parish Councillors present. All present confirmed they understood the procedure at remote meetings.

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

a) Cllr Aksut declared an ‘Close Association’ in relation to item 18.

b) Cllr Lobley declared a ‘Disclosable Pecuniary Interest’ in relation to item 6d and withdrew from the meeting when this item was considered.

**3. Approve the Minutes of the Parish Council meeting on 29<sup>th</sup> June 2020.** The minutes were approved as a true record and will be signed as such by the Chair.

**Action: Chair to sign copy of approved Minutes and post to Clerk.**

**4. Correspondence – any urgent items will be raised by the Clerk for consideration and action.**

a) Neighbourhood Police – Localised Police Report – Information Noted

b) Harrogate Borough Council – Approval of Harrogate District Community Infrastructure Levy Charging Schedule – Information noted

**5. Urgent updates from County and District Councillors if present.**

There are now only 2 nursing homes in North Yorkshire with cases of Coronavirus. There are currently ongoing discussions regarding the devolution of local authorities in North Yorkshire, which could happen from Spring 2022. It is expected there will be no County Council elections next year.

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

a) 20/02325/TPO – The Old Rectory, Church Street, Kirkby Malzeard – Crown reduction and crown lift of 1 no. Copper Beech T1 of TPO no. 20 1995 – Owen **Decision A – The Parish Council has no objections.**

b) 20/02261/FUL – Mowbray Park Farm, Ripon Road, Kirkby Malzeard – Erection of Agricultural Storage Building – Atkinson.

Since the publication of the agenda, it had come to the attention of the Council that this application related to the above property, rather than to neighbouring Meeson Hall as stated. HBC had been contacted and had re-issued the Consultation Request with the correct address included. The Council discussed the appropriate procedure to adopt and decided to proceed and determine its decision at this meeting. Cllr Mountain asked that it be minuted that he felt it should be deferred and re-advertised with the correct address on the next agenda, and he abstained from the discussion and vote on the case which subsequently took place. **Decision C – The Parish Council does not object or support the application but wishes to make comments or seek safeguards as set out below:**

*The Parish Council is concerned that the proposed building appears to be closer to the nearby lake than stated on the application form and this may cause a biodiversity hazard. This aspect should be investigated further, prior to any decision being made.*

c) 20/02247/REM – The Grange, Back Lane, Kirkby Malzeard, Ripon – Reserved matters application for the Erection of 5 no. dwellings (Access within the site, Appearance, Landscaping, Layout and Scale considered) under Outline Permission 18/01600/OUT - Outline application for the erection of 5 no. dwellings with access considered. (Revised Scheme) – Briahaze Village Homes. **Decision C – The Parish Council does not object or support the application but wishes to make comments or seek safeguards as set out below:**

*The Parish Council ask that the plans be amended to move the buildings on plots 1 and 2 further back from the Lane, and to combine these two plots into two semi-detached houses and to price these as affordable homes.*

*The Parish Council remains concerned that this development will cause traffic issues and potential safety hazards on the very narrow Back Lane - on which this development's access is made. We ask that consideration is given to alternative access arrangements for this site and/or revised traffic management arrangements are considered for this Back Lane.*

- d) 20/02378/FUL - Carlesmoor House Farm, Kirkby Malzeard, Ripon - Erection of replacement agricultural shed/muck heap cover – Stoney. **The Council deferred making a decision on this item until they received more information.**

*The Parish Council requests clarification on the location/site plans provided, as they appear inaccurate and do not match the information on land referred to in the application and supporting information. It is concerned that the building (described as a replacement agricultural shed / muck heap cover) may cause effluent run off onto adjacent land and potentially into the nearby Beck. We require a full report from Natural England before we comment further.*

- e) 20/02218/FUL - Land South of Parkfield, Galphay Road, Kirkby Malzeard - Erection of single detached dwellinghouse - Briahaze Village Homes **Decision B – The Parish Council objects on the planning grounds set out below:**

*The Council remains concerned that all buildings on this development impact on distant views in the AONB. However, the Council requests for this infill site that plans be resubmitted for two semi-detached affordable homes. Since any building on this plot would result in the overall development exceeding five houses, we ask that rules in respect of provision of affordable housing and commuted sums be implemented, in accordance with Local Plan Policy HS2.*

**Action – Chair to draft a response to items b-e. Clerk to submit responses to HBC.**

**7. Planning – Enforcement issues.** Cllr Mountain updated the Council on two of the current Enforcement issues within the Parish. No new issues were raised.

**8. Proposed arrangements for the Parish Council** – Cllr Brownlee provided the Council with initial ideas of aims and objectives which could be adopted. These ideas focused around two main points. 1 - Raise community awareness of roles and responsibilities of the Parish Council and councillors. 2 - Promote and develop engagement of the wider community: residents and other stakeholders. Discussion of this item was then deferred until a later meeting, to allow Councillors time to research and develop some clear objectives that would help achieve the agreed aims.

**9. Community Helper Scheme** – Cllr Aksut updated the Parish Council on the ‘Buddy System.’ She explained that the Buddy System was still happening, although in a more relaxed way. She explained that she was concerned that some people were still shielding, so is planning to contact these people, to offer support if required. The distribution of surplus items from Aldi has now ended. Cllr Aksut has received a number of ‘Thank You’ notes from local residents, and wishes to offer the thanks of the Parish Council to Lauren, Bradley and Amy.

**10. Kirkby Malzeard Charity Trust** – Cllrs Berry and Lobley have still had no response from the Kirkby Malzeard Charity Trust to their request for £400 for the Community Helper Loan scheme. The Council now feel that this has become a wider issue, and wish to see the accounts of the KMCT. Cllr Berry will provide the KMCT with a copy of the minutes of this meeting and again write to the Clerk to explain that if the Council do not receive a copy of the accounts in time for the September Parish Council meeting (Monday 28<sup>th</sup> September) then they will be writing a letter of complaint to the Charity Commission.

**Action – Cllr Berry to contact the Kirkby Malzeard Charity Trust**

**11. Children’s Play Area.**

a) Cllr Brownlee had inspected the Play Area and noted two issues. 1 – The gate is very difficult to close, resulting in it being left open. 2 – Minor damage to the wet-pour base under the Junior swings. Cllr Mountain will inspect and provide a second opinion.

**Action – Cllr Mountain to inspect the Play Area and report back to next meeting**

b) Improvements - The Council has received quotes for the Play Area Improvement project from Streetscape, Kopman and Playforce. The latter far exceeded the provisional budget of £25,000 but the remaining two companies both provided suggestions and costings which may be appropriate, subject to some revisions. Both estimates were provisionally approved subject to a final decision once funding has been obtained. Cllr Mountain will discuss the specifications further with these two contractors, and in the mean-time will commence fund-raising by submitting an application to HBC so that available commuted sums can be allocated.

**Action – Cllr Mountain to apply for HBC commuted sums**

**12. Waste bins in Kirkby Malzeard** – This item was deferred as the Chair has not received a response from HBC. Concerns have been received from a local resident about HBC looking to site a bin outside the Chip Shop. It was agreed that this is not the correct place for a bin and the Chair will contact HBC in the future, if it becomes an issue.

**Action – Put item on the Agenda in August**

**13. Laverton Defibrillator** – The Council considered and approved the specification for the Laverton Defibrillator prepared by Cllr Mountain in conjunction with Community Heartbeat Trust. The Council wishes to thank Mrs. Blakey, who has agreed to contribute the donations raised at her husband’s funeral towards the cost of the Defibrillator.

**Action – Cllr Lobley to liaise with Mrs Blakey**

**14. AJ1 Project Road Safety Fund** – Cllr Aksut will draft a grant proposal to improve road safety and encourage slower driving in Kirkby. This will include a ‘Community Speed Watch’ initiative as well as signs asking people to drive safely and to slow down. It was agreed that the grants available are not sufficient to change the legal speed limit on Main Street to 20 MPH

**Action – Cllr Aksut to draft grant proposal to be agreed at the August meeting**

**15. Code of Conduct for Local Councils** – A discussion took place about the Parish Council’s proposed response to the consultation by the Local Government Association on a new code of conduct for local councils.

**Action – Cllr Mountain to complete the Consultation response based on the discussion**

**16. Trees.** – The Council considered a complaint received from a resident regarding the branches of trees overhanging the footpath that are causing obstruction at head height, outside a number of houses from Kirkby Surgery towards the west of the village. It was agreed that the Chair and a number of other Councillors would do a village walk around to identify the problem areas, they will then speak to residents directly to request the trees be cut.

**Action – Chair to arrange a village walk around**

**17. Market Cross Plaque** –

- a) The Council wishes to thank a local resident, Mr Flanagan, for the work undertaken on the Market Cross Plaque.
- b) The Council will request the receipts for the materials before the next meeting so that payment can be made.
- c) Approval of additional work by Mr Flanagan on the Market Cross was deferred until the August meeting in order to clarify the work proposed and to establish any insurance implications that working at height may cause.

**Action – Cllr Berry to discuss with Mr Flanagan. Cllr Mountain to check insurance implications**

**18. Website** – The website is currently working well. There are some new ideas and developments that Cllr Aksut will provide further information on at the August meeting.

**Action – Clerk to put on the August Agenda**

## 19. Property Assets.

a) Consider monthly condition reports from Councillors.

Asset	Inspected by	Date	Comment
Pinfold	Cllr Aksut	27/07/20	No urgent work required
Market Cross	Cllr Berry	27/07/20	No urgent work required
Greygarth Monument	Cllr Lobley	27/07/20	No urgent work required
Lamberts Quarry	Cllr Mountain	25/07/20	No urgent work required
Laverton Quarry	Cllr Mountain	25/07/20	No urgent work required
Bus Shelter	Cllr Berry	27/07/20	No urgent work required

b) The Risk Assessment was considered and approved. **Action: Cllr Mountain to publish on website**

c) Annual inspection report on street furniture and other miscellaneous assets prepared by Cllr Mountain was noted. Cllr Berry took responsibility for renewing the Bus Shelter window. Cllr Mountain will arrange the varnishing of some benches.

## 20. Highways issues.

a) Cllr Aksut is liaising with Highway with regards to the gravel issue at Thieves Gill.

b) There is slow progress on approving the repair works on Church Bank which involves multiple agencies. Cllr Saxon will put on update on Church Bank on Facebook and on the Website.

c) No new items were raised by Councillors or public.

## 21. Financial Items:

a) The Bank statement showed a balance of £12,765.51

b) Cash Book. Reconciliation with bank statement noted by Council.

c) Comparison to budget – The Q1 comparison to budget was noted.

d) Internet Banking – It was agreed that Victoria Preston will be the primary user and a maximum daily payment limit of £5,000 was agreed.

**Action – Clerk to send the Internet banking form to Cllr Aksut to be signed**

e) The following payments (including VAT where applicable) were approved.

Payee	Amount	Item Paid For
Clerk Reimbursement	£3.49	Printer Ink
Clerk Reimbursement	£7.32	Stamps
North Yorkshire County Council	£264.00	Data Loggers

**22. Emergency Delegation of Powers to the Clerk.** It was decided that the Council will continue to meet via video conference call for the time being, however should it become necessary, the

Council will call an Extraordinary meeting at which point the Standing Order will be invoked to delegate Emergency Powers to the Clerk.

**23. Any Other Business.** None

**24. Date of next monthly meeting:** The next monthly meeting is to be held remotely (or at the Highside Pavilion, Kirkby Malzeard, if permissible) on 24<sup>th</sup> August, 2020 starting at 7.30pm. Any items to go on the Agenda should be submitted to the Clerk by 14<sup>th</sup> August 2020 please.

The meeting ended at 10.00pm

Dated 05/08/2020

**PARISH CLERK:** Victoria Preston, 17 Cypress Gardens, Ripon, HG4 2LT (Postal enquiries only) Tel: 07725801675 Email: [clerk.kmldpc@outlook.com](mailto:clerk.kmldpc@outlook.com) Agenda, along with General Privacy Notice, also available on the Parish Council website: [www.kirkbymalzeardarea.org.uk](http://www.kirkbymalzeardarea.org.uk) Facebook: @kmldpc