

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE EXTRAORDINARY PARISH COUNCIL MEETING held on Monday 16th September 2019 in the Annex Room of the Mechanics Institute, Kirkby Malzeard

The meeting commenced at 7.15pm, having been called by the Chair as responses were required to items 3 and 4 prior to the next full meeting.

Present: Councillors Howard Mountain (Chair), Geoff Lobley (Vice-Chair), Jane Aksut, Geoffrey Berry, Peter Saxon, Alan Brownlee and Pippa Manson. District Councillor Nigel Simms. Two members of the public present.

1. Welcome and apologies for absence. Apologies were received from County Cllr Margaret Atkinson.

2. Declarations of Disclosable Pecuniary Interest, Other Interests or Close Association. Cllr Aksut declared an 'Other Interest' in respect of item 3 and limited her involvement to providing information only.

3. Impact of recent alterations to School bus arrangements serving the secondary Schools in Ripon. Cllrs Aksut and Saxon informed the Council that, since the beginning of the new School term, pupils of Outwood Academy from this Parish and neighbouring villages, were now no longer being allowed to return home on the school bus which leaves the Ripon secondary schools at 4.05pm and could only use the earlier bus leaving at 3.00pm. Pupils at Ripon Grammar were unaffected. This was resulting in some Outwood Academy students being obliged to miss activities which they would normally attend after the official end of their school day at 2.50pm or being obliged to find their own way home from Ripon. These activities include curriculum support and intervention classes and other enrichment courses.

This problem is understood to have arisen as NYCC has altered its policy for this term onwards as a response to a complaint received in the Craven District that they were not complying with the Public Service Vehicle Accessibility Regulations 2000, or the Equality Act 2010, because it was alleged that pupils such as those from Outwood Academy should be classed as paying for using the later bus because of the nature of the permit arrangements in place, and on all buses which carried paying passengers there was a legal obligation to provide vehicles which catered for disabled persons. Whilst the coaches used at the Ripon schools do not comply, in practice alternative provisions are made for disabled pupils using taxis or adapted minibuses. It was also explained that parents of pupils affected had not been made aware in advance of the change of

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policy which had caused significant problems including, on some occasions, pupils being left unsupervised in Ripon.

It was agreed that the Council should write to NYCC pointing out that the decision had been badly managed as parents had not been informed, that entitlement arrangements which resulted in the Outwood Academy pupils being seen as 'paying' needed to be revised, that the same size bus should be used at 4.05pm as is used on a morning (when all pupils travel in together) to ensure that there were always sufficient space on the later bus, that by affecting pupils at Outwood Academy but not the Grammar School it was in practice creating inequality itself when seeking to comply with equality legislation, that by necessitating collection of pupils by parents it was increasing congestion on roads and that if NYCC were to take the option of no longer charging permanently, this would result in a loss of income which would otherwise be used to the benefit of schools and pupils. An immediate amendment to revise 'entitlement' arrangements locally so that they applied to the route rather than a particular bus was requested, as this would appear to solve the problem, and NYCC were also to be advised that they should lobby for a common sense solution to the issue of the interpretation of the PSVAR rules to avoid issues such as this arising.

Action: Letter to be drafted by Cllrs Aksut and Saxon reflecting the above, to be approved by other Cllrs prior to being sent to NYCC and the Department of the Environment.

4. Planning – recent Application made to Harrogate Borough Council. The Parish Council will provide a response on the following case:

19/03477/OUT – Land comprising OS Field 5419, Galphay Road, Kirkby Malzeard – Outline application for the erection of a single dwelling and renovation of a summerhouse, with access considered – Atkinson.

The Council considered the details of the application together with the planning history of the site, including the opinions which it had provided to previous applications 17/05482/OUT and 18/01726/OUT, as well as the reasons given for the refusal of those applications by HBC and the Planning Inspectorate. It was agreed by a majority decision that the Council would object to the application on the basis of the following grounds, the main points of which are;

a) That whilst the current application was only for one dwelling (rather than for two houses in previous applications) that the reduction in density would not mitigate the impact which development would have on the landscape character and natural beauty of the area and in particular the view to the east from this section of Galphay Road.

b) That whilst there is a need for some sympathetic infill housing in the village in the medium to long term to support facilities, the AONB status of the area would be undermined by the extension of housing on the edge of the village in this location at this point in time. It was also felt that HBC should have regard to decisions made in recent years in respect of other applications for residential development in the village to try and achieve some consistency.

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c) That the Landscape and Visual Assessment document provided did not adequately indicate the visual impacts of any development in this location with reference to be made specifically to the impact of the two recently constructed properties on the adjoining site when viewed from Ripon Road.

d) That this stretch of Galphay Road required work to widen and redesign the layout as regular problems were now arising with traffic flow and if the application was granted such work should be a condition of the approval. The need to position any electric gates to allow on-site parking when entering or exiting was also essential.

Cllr Berry has requested that it be minuted that he supported the application.

Action: Draft response to be prepared by the Chair reflecting the above points, to be approved by other Councillors prior to being sent to HBC.

5. Any Other Business – None.

6. Date of next full meeting: Monday 30 September 2019 at 7.15pm in the Annex, Mechanics Institute, Main Street, Kirkby Malzeard.

The meeting closed at 8.30pm.

Dated 24.09.2019

ACTING CLERK: Howard Mountain, Mount Pleasant. Laverton, Ripon, HG4 3RH (Postal enquiries only)

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Agenda, along with General Privacy Notice, also available on the Parish Council website

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