

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING held on 24 June 2019 in The Annex, Mechanics Institute, Kirkby Malzeard

The Meeting commenced at 7.15pm

Present: Councillors Howard Mountain (Chair), Geoff Lobley (Vice-Chair), Jane Aksut (present until Item 13d), Geoffrey Berry, Alan Brownlee, Pippa Manson, Peter Saxon, with County Cllr Margaret Atkinson and District Cllr Nigel Simms, and 3 members of the public.

1. Welcome and apologies for absence.

Apologies were received from Jen Hurford (Clerk).

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

None.

3. Approve the Minutes of the Parish Council meeting held on 20th May 2019.

The minutes of the Parish Council meeting on May 20th were confirmed as an accurate account and signed by the Chairman.

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

a) Update on dog waste bin – Clerk has advised Ben Grabham, HBC Direct Services Manager that additional bin is required adjacent to existing bins near Kirkby Stores and requested that this be given priority.

b) Update on pack from HBC for their Looking out for our Neighbours scheme. **Action: Cllr Aksut to check if electronic copies are available for sharing with public; Cllr Brownlee to leave paper copy with surgery.**

c) Update on St Peter's, Dallowgill – The prospective purchaser who wishes to use premises as a Retreat has received a Pre-application response from HBC, which is understood to be positive subject to adequate parking being available. It was suggested he contact Yorkshire Water regarding potential for using the hard-standing opposite the Old School for this. Concern was raised from member of the public who understood there was also a buyer wishing to use the building as a Children's nursery which they felt would lead to increased daily traffic along the single-track road as well as parking issues. These comments were noted and the matter will be considered if this interest materialised in a formal offer/planning application in the future.

5. Correspondence – Clerk to raise any relevant items with Councillors including those listed;

a) YLCA – Notification outlining the celebrations being planned for the 75th Anniversary of VE Day on 8th - 10th May 2020. **Action: Council to keep track of plans and look for opportunities to involve village in celebration. Cllr Berry suggested Clerk liaise with Royal British Legions officer – Ted Threapleton (Grewelthorpe).**

b) YLCA – Request for resolutions to their district YLCA Branch meeting for debate on July 13th – no suggestions made. No further action will be taken.

c) Highways – Notification of Church Street road closure July 22nd to August 30th. **Action: Chair to add details to website; Cllr Brownlee/Cllr Saxon to add to Facebook page.**

d) Delta Academies Trust – Request to meet with the Council to discuss plan for The Old School, Dallowgill. Council has advised them that comments to HBC have already been made.

e) HBC – Notification of Ethical Standards training for all Parish Councillors. Monday July 8th clashes with Neighbourhood Plan meeting involving many of the council. Chair understood that all councillors are expected to attend training on alternative date. **Action: Councillors to check other available training dates and book a place.**

6. County and District Matters – Cllr Simms reported that it appears Parish Councils will be able to make bids for funding within new Community Infrastructure Levy (CIL) process when introduced. Funds from commuted sums and CIL may be put towards the same project. He also advised that the HBC Local Plan is now scheduled for completion by November 2019.

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

a) 19/01095/COU – Low Keld, Main Street, Kirkby Malzeard – Change of Use from Agricultural land to domestic curtilage – Fillingham – Refused.

b) 19/01466/CLEUD - Kendall Bank, Kirkby Moor Road, Kirkby Malzeard - Application for a Certificate of Lawfulness for existing non-agricultural occupation of dwelling – Fountain – Certified lawful.

c) 19/01842/FUL - 23 St Andrews Meadows, Kirkby Malzeard - Erection of a single storey extension and alterations to fenestration – Martin – Approved subject to conditions.

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

a) 19/02021/FUL - Carr House Cottage, Kirkby Moor Road, Kirkby Malzeard - Conversion of domestic store to form annex including installation of stonework and alterations to roof pitch – Watson – response deadline 25th June (extension agreed). The Council agreed it had no objections to the application. **Action: Clerk to submit response to HBC.**

b) 19/02112/FUL - Cross Hills, Grantley - Erection of two and single storey extensions – Lupton - response deadline 25th June (extension agreed). The Council agreed it had no objections to the application. **Action: Clerk to submit response to HBC.**

c) 19/02275/REM – Parkfield, Galphay Road, Kirkby Malzeard - Reserved Matters Application for Appearance, Landscaping, Layout, and Scale of planning permission 17/04096/OUT (Outline application for the erection of 1 dwelling) – Kitching – response deadline 27th June. The Council agreed it did not object to or support the application but wished to make comments on the basis of these points: comments were raised regarding the entrance/exit given the narrow width of the road and also there were concerns that if electric gates were to be installed, provision needed to be made to prevent vehicles waiting on highway until they open. **Action: Chair to draft response for Cllrs to approve, prior to submission to HBC.**

9. Planning - Neighbourhood Plan.

a) Report on first meeting of the Steering Group held June 10th. Chair reported that a positive start had been made including the outlining of key milestones within the process. It had been agreed that further members of the community with appropriate skills would be approached to join either as Steering Group members or in a consultancy role.

b) Council to consider approval of additional Steering Group members Mike Hurford, Peter Cooper, Rebecca Mann and Michael Jordan. Formally approved.

10. Planning – Enforcement issues. No new cases to be referred. Chair updated Council regarding existing cases with particular reference to temporary structures.

11. Powers held by the Council – documents (including YLCA Advice Note 3) concerning the Powers held by the Council were reviewed for training purposes and as the Clerk was absent these will be brought to her attention as part of the process. **Action: Clerk to review documents.**

12. Kirkby Malzeard Community Association – The Constitution is currently nearing finalisation and the Council was asked to consider the extent of its involvement once the Association has been created, specifically whether it should be a nominated Trustee or only a Member organisation. A consensus on best approach was not reached but there was a concern that if an Association was focused solely around Mechanics Institute and Highside Playing Fields this may narrow the sense of involvement from other local groups. **Action: Chair to share Model Constitution for comments and seek advice from Community First Yorkshire.**

13. Traffic and parking issues

a) Consider issues regarding parking on The Green and at Highside Playing Fields – Cllr Brownlee now in communication with correct department at HBC (Estates) and awaiting response.

b) Update over monitoring of vehicle speeds using Data Loggers. Chair has again requested an indication of when these will be installed – NYCC unable to confirm a date.

c) Update on Council's proposals regarding traffic issues in the Parish following Public Consultation – Cllr Aksut suggested that as there is no definite date for the Data Loggers that we proceed with collating findings from the Public Consultation and submitting the Councils proposals for traffic in the Parish at this point.

d) Parking issues on Manor Court. Residents have highlighted occasional problems with inconsiderate parking which have arisen when events are taking place at nearby venues and on School days. **Action: Cllr Brownlee to contact Chair of Governors at School to issue polite reminder to parents not to park in Manor Court during school drop off/pick up.**

14. UCI World Championships 2019 – KM School to make a grant application to HBC to fund a 'Bikeability' project for students. Mechanics Institute to apply for match-funding of PA system for community use. No application is to be made by Council as no appropriate project could be identified.

15. Grass cutting to village verges – update on standard of work following complaints from residents. The Council reviewed the issues raised and these centre mainly around grass not

being removed following cutting. It was clarified that the contractor is not being paid to remove the cuttings as this would have involved extra cost which was not considered justifiable when the tender was accepted in 2017. Some areas, for example near the West End Green, were also being left uncut early in the season until daffodils had died back. **Action: Chair to discuss matters with the contractor and report back to next meeting.**

16. Community Emergency Team – Chair shared the revised Community Resilience Plan document with other Councillors together with the current team membership details. Further information was confirmed as being available on the Community website.

17. Illegal Drug use in Parish – The matter was discussed as whilst this activity is still limited in scale within the Parish, action to publicise the problem at this stage might be useful in stopping it spreading. **Action: Cllr Aksut to explore approaches by other councils and the option of sharing online helplines on Facebook/Website, and liaise with School on appropriate measures.**

18. Enduro motorcycle event in Laverton rescheduled for July 6-7th – The Chair advised on correspondence with the organisers/landowners following concerns from residents that the problems which arose when the event took place two years ago might be repeated. It is hoped that similar problems on this occasion will now be avoided. **Action: The event will be monitored and reviewed at next meeting.**

19. Belford Lane – removal of stone from riverbed at Ford. The matter had been referred to NYCC Highways and Footpaths departments but neither considered it their responsibility. It was clear that the action had been taken by a third party rather than neighbouring landowners. The Council decided that no further action would be taken at this point but will monitor the location for any further disturbance.

20. Council Property Assets –

a) Monthly reports on condition of assets from Councillors. Cllr Berry confirmed inspection of the Market Cross on 24th and whilst no defects were present, he suggested that some repointing between base stones might be considered under future maintenance. The plaque would also benefit from repainting. The Chair had inspected Lamberts Quarry and Laverton Quarry on 22nd, Cllr Aksut the Pinfold on the 24th and Cllr Lobley inspected Greygarth Monument on 23rd with no problems noted at any of these. **Action: Cllr Brownlee to explore repointing options to Market Cross with local contractor.**

b) Bus Shelter opposite Kirkby Stores, Kirkby Malzeard – No progress on obtaining alternative estimate for repair works. **Action: Cllr Aksut to obtain estimate for next meeting.**

21. Children's Play Area

a) Update on fencing work to Play Area – Chair confirmed that commuted sum application had been submitted to HBC following completion of work and payment was awaited.

b) Findings of latest monthly report from DTMS and weekly inspections by Councillors. It was reported that an area of wet-pour tarmac adjacent to the Basket Roundabout had started to deteriorate and maintenance work should be considered. Permission to proceed on receipt of

estimate up to a maximum of £500 was approved. It was also agreed that initial enquiries about the availability of grant funding for improvements to equipment should be investigated. **Action: Chair to obtain estimate from DTMS for repairs to tarmac and make enquiries about grant funding.**

c) It was confirmed that Cllr Brownlee had received basic inspection training. **Action: Chair to liaise with Cllrs Saxon and Aksut to arrange their inspection training.**

d) Approval was given for HBC to arrange the Annual Playground Inspection at a cost of £66. **Action: Clerk to instruct HBC accordingly.**

e) Registration of sub-lease with Land Registry. Chair advised that the Council's Solicitors required a copy of the Deed of Variation between HPFA and HBC in conjunction with this matter and as HPFA had not retained a copy, a request to HBC Legal Department to provide a copy had been made.

22. Highways Issues

a) Update on items previously reported including cleaning out of blocked gullies in Parish. Chair reported that various items were still outstanding and that the Clerk was arranging a meeting with Highways to resolve these.

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

c) Parking of Post Office Van outside Mechanics Institute. The Permit Holders bay had now been painted onto the carriageway but required extending to the East so that it could fully meet the requirements of the Post Office Van. **Action: Chair to liaise with Highways.**

d) Road cleaning arrangements – matter deferred to next meeting.

e) Width of Galphay Road following new development – Cllr Lobley felt that an opportunity to widen highway in conjunction with this had been missed. Highways are to measure the carriageway to ensure that it has not been narrowed.

23. DTMS Task List – various works had been carried out since last meeting which appeared satisfactory. Cllr Manson referred to the need for some trimming to the shrub on the corner of Manor Court and the Council agreed to take responsibility for this each Autumn. **Action: Trimming of shrub at entrance to Manor Court to be added to DTMS contract.**

24. Financial items:

a) Bank statements – balances, outgoings and income on latest available statements. May's statement showed a balance £14,005.13, but June's statement was still awaited.

b) Cash Book – up to date record of payments/receipts were circulated with the balance standing at £12,014.31. This would be reconciled by the Clerk with the June bank statement when received and referred to Chair for interim approval. **Action – Clerk to advise Chair of reconciliation of cash book and bank statement.**

c) Consideration of the Council's obligation to HMRC following guidance from YLCA. The guidance states that "It is the council, as the employer, that has the responsibility for ensuring that the relevant information is sent to HMRC and the correct PAYE and National Insurance contributions are paid. It is the council therefore, that will incur all financial penalties,

if these processes are not adhered to or mistakes are made.” In the light of this it was agreed that online payments would be a more satisfactory method of ensuring the Council avoided any liability than the system used previously, even though no problems had arisen.

d) Online Banking arrangements. The Clerk had circulated details of the options available from HSBC prior to the meeting. It was agreed that the Clerk would register as the Primary User and all Councillors would be Secondary Users, with any of them able to access the account details to verify payments and other activity at any time. A Debit card would be available initially up to a limit of £100. **Action: Subject to confirmation by YLCA that such arrangements will comply with Internal Control requirements, the Clerk is to make arrangements with HSBC.**

e) Approval of payments (including VAT where applicable) were given;

Payee	Amount	Item Paid For
DTMS Ltd	£30.24	May Playground Inspection
DTMS Ltd	£1,368.00	Playground Fencing
Hutchinson Buchanan LLP Client Account	£360.00	HPFA Lease Legal Charges
Buckton Homes & Gardens	£760.00	Grass Cutting
Clerk (reimbursement)	£59.99	HP Envy Photo 6230 Printer

25. Any Other Business

a) Cllr Lobley advised that he considered that the new telegraph poles inserted on the Pateley Bridge Road near Belford are very close to highway with potential for wing mirrors to make contact with them.

26. Date of next meeting: Monday 29 July 2019 at 7.15pm at Greygarth Chapel, Dallowgill. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 19 July 2019 please.

The Meeting Closed at 9:45pm

Dated 03/07/2019

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