

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING held on 24 September 2018 in The Annex, Mechanics Institute, Kirkby Malzeard

The Meeting commenced at 7.15pm

Present: Councillors Howard Mountain (Chair), Geoff Lobley (Vice-Chair), Jane Aksut, Alan Brownlee, Peter Saxon and District Cllr Nigel Simms, with Jen Hurford (Clerk), and 6 members of the public.

1. Welcome and apologies for absence.

The Chairman welcomed everyone to the meeting and noted apologies from Cllr Geoffrey Berry, Cllr Ruth Broadley and County Cllr Margaret Atkinson.

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

There were no items declared.

3. Approve the Minutes of the previous Full Parish Council meeting held on 20th August 2018 and the Interim Parish Council meeting held on 4th September 2018.

The minutes of the Full Parish Council meeting on August 20th were confirmed as an accurate account of the meeting. Proposed by Cllr Aksut, seconded by Cllr Lobley and signed by the Chairman. The minutes of the Interim Parish Council meeting on September 4th were confirmed as an accurate account of the meeting. Proposed by Cllr Brownlee, seconded by Cllr Saxon and signed by the Chairman.

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

a) Consider any further response from NYCC or Azerley Parish Council in respect of Common Land at Woodhouse Bogs, Winksley – The Chair clarified that Azerley Parish Council has the item on the agenda for discussion at their meeting on September 27th and will await their response.

b) Report on progress on setting up of Facebook Group - Cllr Brownlee advised having considered the pros and cons of setting up a group page that the current page should remain. He will however put more information on with links to the website in order to make public more aware of agendas and minutes etc. The Council approved this approach.

c) Churchyard maintenance at St Peter's, Dallowgill – Cllr Lobley clarified that the Diocese had confirmed that Yorkshire Water are responsible for this task. As such the alternatives are that the churchyard is excluded from the sale and YW continue maintenance, or when it is sold the maintenance becomes the responsibility of the new owners. The Council agreed that the first of these options was preferable but in either case full public access should be available at reasonable times. Cllr Lobley asked that it be stressed that the Council felt that HBC should

remove the community use requirement to prevent the building standing empty indefinitely and falling into disrepair. **Action – Chair to write to Diocese and convey these views.**

d) Update on Local Lotto - Cllr Aksut has advised both the MIVH and HPFA about the scheme, that Friends of the School were in the process of providing bank details and that the Pre-school was aware. She highlighted that ticket purchase is available online only by direct debit.

e) Update on investigations over potential path for Definitive Map – Cllr Saxon advised that the Village Design Statement references the path as out of use but he intends to take photos and look into the matter further. **Action – Cllr Saxon to enquire with NYCC.**

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

a) Community First Yorkshire – Notification of Yorkshire & Humber Community Led Housing Conference 16th October. It was agreed that as this was not being considered in the Parish at present attendance was not required.

b) HBC – Notification of the submission of Harrogate District Local Plan to the Secretary of State for Housing, Communities and Local Government, for Examination. Advisory Item only.

c) HBC – Notification of Harry's Place Childcare facility available within Ripon Leisure Centre was given. **Action – Clerk to check any conflicts with other local organisations before posters are published.**

d) YLCA – Notification of Harrogate Branch Meeting on Monday 1st October at 7pm. The Chair will attend. **Action – Chair to report outcome at next meeting.**

e) NYCC/Visit Masham – Notification of Lift Share scheme registration was given and the Chair and Cllr Brownlee advised of publication on the website and Facebook. The organiser is to be invited to the next meeting to explain scheme. **Action – Clerk to make contact and arrange attendance.**

f) HBC – Invitation to respond to the consultation on the Statement of Principles for Gambling 2019-2021. Agreed not relevant to Parish.

g) HBC – Notification of the formal designation of the Masham Neighbourhood Area on 10 August 2018 was given. Advisory item only.

6. The Queens Head, Kirkby Malzeard

The Chair invited a general discussion to consider what action if any could be taken by the Parish Council to help ensure the long-term future of this community asset. The Landlady confirmed that they had been tenants for 1 and half years of a 5-year tenancy and that trade was busy but could be busier. She clarified that they saw themselves as a community pub providing a main bar with TV, Pool Darts etc, with the Dining room available for food and as a quieter drinking area. They realised they could not satisfy all residents but felt that competing with food-based pubs like those in Masham, Grantley, Sawley and Galphay would not be as viable. They highlighted the fundraising they do for local organisations and charities with events such as specialist quizzes and bingo nights. Following discussion, it was agreed that the Landlords,

Enterprise Inns, should be contacted initially to establish their current plans for the future of the premises and to ask to be kept informed of any developments. Consideration might be given to making an Asset of Community Value application depending on the response received. A HJCC representative advised they would support such an application as they felt all pubs should have that protection. Cllr Brownlee suggested that the matter be dealt with in such a way as to not cause controversy amongst the community.

On a more general level it was suggested by a member of the public that all local organisations should be working more closely together and asked if the Council could facilitate this perhaps by holding a joint meeting. The Chair advised the MIVH have a meeting on October 8th to discuss amending their constitution to enable closer links with the community and with organisations such as the Playing Fields Association. Cllr Brownlee highlighted how the community worked together for the Tour de Yorkshire event and hoped that a similar ethos could apply. Cllrs agreed this matter should be put on the next Agenda to discuss further. **Action – Chair to write to Enterprise Inns. Chair and Cllr Saxon to attend forthcoming MIVH meeting and report back.**

7. Armistice 2018 – The Chair asked what contribution the PC could make to mark the 100th anniversary event on November 11th. It was agreed to ask the owners of the Former Henry Jenkins if some artwork could be attached to the front of the building to replace the T de Y sheep, and to ask a local artist for an estimate, with the aim of encouraging donations to the Poppy Appeal from residents. **Action – Chair to put contact Mr. Fielder and Mr. Claybourn and Cllr Saxon to contact Stephen Weld.**

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

a) 18/02576/FUL – Grey Gables, Laverton – Outline application for the erection of three dwellings with access, appearance, scale and layout considered. (Revised scheme) – Amber – Refused.

9. Planning Appeals – notification of recent decisions made by the Planning Inspectorate:

a) 18/00031/NREFPP – Land comprising OS Field 5419, Galphay Road, Kirkby Malzeard – Outline application for the erection of 2 dwellings with access considered – Atkinson. Appeal Dismissed.

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

a) 18/03676/CLOPUD - Grange Cottage, Laverton - Application for a Certificate of Lawfulness for the proposed installation of fenestration to a Listed building - Brassington. The Council agreed it had no objections to the application. **Action – Clerk to submit response to HBC.**

11. Planning - Neighbourhood Plan.

Following the initial meeting with Joe Varga and Gill Ritchie of HBC on September 18 attended by the Chair and Cllr Aksut, it was advised that the first step was the Designation of a Plan Area.

It was agreed that this should include the whole of the KMLDPC parish only, but that neighbouring PCs and the AONB should be formally advised of the proposal and given the opportunity to provide comments before the application was made. Such letters would be sent out shortly. Cllr Aksut felt whilst HBC had explained that the Neighbourhood Plan should focus mainly on planning aspects both the Chair and she felt that a wider approach involving Highways, the Environment Agency, Utility Companies, Tourism, Heritage aspects were needed in order to ensure that the infrastructure for any additional development would be available. It was agreed that a Steering Group involving Councillors and non-Councillors should be formed and the process for creating such a committee be considered at the next meeting. Cllr Brownlee advised he would attend the Neighbourhood Planning Conference on 19th October at the Civic Hall, Leeds to obtain further advice. **Action – Chair to send out letters to neighbouring Parish Councils and create website page. Cllr Brownlee to attend Conference.**

12. Planning – Enforcement issues.

- a) The amended wording of the procedure to deal with any potential breaches raised by Councillors or public was circulated amongst Cllrs and this was approved. **Action – Chair to publicise on website and noticeboards.**
- b) Consider any possible breaches of planning consents, conditions or regulations currently existing within the Parish. The Chair asked if the Councillors or Public wish to have any such issues referred to the Planning Enforcement Office at HBC by the Clerk, but none were declared.

13. Kirkby Malzeard Charity Trust

Cllr Berry had previously confirmed contact with the Charity Commissioners who clarified that Trustees had a responsibility to ensure the Trust was being run correctly and that a meeting could be called by any Trustee who was concerned about this. There had still being no formal response from the Secretary of the Charity Trust following notification of change of Council representative and request for further information. It was agreed that the Council would write one more letter to the Chairman and Secretary and call a meeting if still no response thereafter. **Action – Chair and Clerk to draft and send letter.**

14. Inspection of Council Property Assets –

- a) Cllr Aksut confirmed inspection of the Pinfold and Market Cross on September 22nd with no untoward observations to report. Cllr Lobley inspected Greygarth Monument on September 23rd with no defects present, but he did ask if the flagpole should be taken down for safety reasons. Cllrs agreed to it being secured under to the underside of the ladder. The Chair inspected Laverton Quarry on September 21st with no defects present, but that the inspection of Lamberts Quarry on September 24th had shown the bridleway sign at the Kirkby Moor Road end had been damaged by a hedge cutter. **Action: Cllr Lobley to relocate flagpole at Greygarth Monument. Chair to report damaged sign at Lamberts to NYCC Footpaths department.**
- b) Woodyard, Kirkby Moor Road, Kirkby Malzeard – the Chair advised that the new draft lease had now been provided by the Solicitors and would be passed to the Tenants for their

amendments before circulating amongst Cllrs for their input. **Action: Chair to liaise with Tenants.**

c) Lamberts Quarry – an estimate for annual tree inspection by Wards of £150 plus VAT was considered and Cllrs agreed that this should also include Laverton Quarry and that a second quote should be obtained. **Action: Chair and Clerk to obtain further estimates.**

d) Bus Shelter near Kirkby Stores – Cllrs again discussed the quote of £1,300 obtained for joinery repairs last year as the condition was continuing to deteriorate. As the shelter does not appear to be used it was felt that removal might be less expensive and it was agreed that a notice should be put up on the shelter, and on Facebook and the website, giving the opportunity for comments from the public. There was also a discussion about those waiting for service buses using the alleyway opposite Longswales junction to shelter from the wind and whether some seating could be provided for them. **Action: Notices to be placed on bus shelter and website/Facebook.**

e) It was agreed that formal thanks should be given to Keith Simpson for recent work to Laverton Quarry and to Ingrid Simmonds for refurbishment of the bench at Laverton Pinfold.

15. Commuted sums

a) Kirkby Malzeard Heritage Board – the draft design obtained by Kirkby in Bloom was provided for approval. The board is intended to illustrate the history of the village and points of interest to visitors and newer residents. Minor amendments were suggested but was otherwise approved subject to proof reading. £615.91 of the total cost is to be covered from commuted sums, £300 by a donation from Friends of AONB, with the balance met by the Council and KIB.

b) Highside Playing Fields/Play Area – two estimates for fencing work were considered and that from DTMS of £1,140 plus VAT was accepted. It was agreed that the application would be made by the Council rather than HPFA on the basis that it would be taking over the tenancy before the work was undertaken. **Action: Chair to submit application for commuted sum of £1,048.57.**

16. Children's Play Area

a) The findings of the July report from DTMS had referred to some maintenance work as being necessary including some repainting of the equipment. Cllrs agreed quotes should be obtained for any essential works. The Annual Safety Report was awaited. **Action: Chair to discuss works with DTMS and then obtain estimates from DTMS and Playscape for any essential matters.**

b) The Chair reported that following the signing of the Deed of Variation by HPFA and HBC they were still awaiting a sub-lease to be drawn up by HBC and that the whole process which had commenced in February had taken an inordinate amount of time but was hopefully now nearing completion. Cllr Simms advised the Legal Department at HBC had been understaffed but this had been resolved.

17. Highways Issues

a) Updates were given on items previously reported including that a response over the uneven road surface Main Street, Kirkby Malzeard was still awaited and that photos of Thieves Gill, Azerley had been submitted and works chased. The direction sign at Laverton bridge had been replaced in the correct position and the potholes to Kirkby Moor Road had been made good. The damaged sign to the Laverton Quarry junction had also been reported.

b) New items raised by Councillors or public included;

i) KIB representative highlighted the kerbs requiring weeding particularly to The Green and Mowbray Crescent and that although NYCC had advised these would be sprayed in July they did not appear to have been. This had been highlighted by KIB judges along with moss covering on the North facing side of Main Street. **Action: Clerk to enquire with Highways.**

ii) A resident advised that the gulley at High Walk had been blocked for years and had photo evidence showing the standing water. **Action: Clerk to submit to Highways.**

c) Highways response over proposed removal of some salt bins due in Kirkby Malzeard was that the bins could alternatively be funded by KMLDPC at a cost of £50 for a new bin and £75 for each bin to be filled annually. **Action: Cllr Aksut to request the Highways scoring criteria on which the removal was based and the matter will be considered again at the next meeting.**

18. DTMS Task List – there were no specific works to report carried out by Parish Caretakers, and no new items to be added to their task list.

19. GDPR – update on procedures and approval of further documents to comply with Data Protection Act 2018;

a) The response from YLCA about the query over Councillors' email addresses requested by Cllr Broadley indicated that the Council would be unable to confirm that it was fulfilling GDPR requirements if Cllrs continue to use private emails rather than an email unique to their PC role. **Action: Clerk to forward advice from YLCA to Cllrs Broadley and Berry and ask that new email accounts be created.**

b) Update on creation of Breach policy document – the Clerk advised a draft version was still waited from YLCA for consideration.

20. Employment of Clerk:

a) Consideration was given to referring payroll responsibilities from the Clerk to an external body. The Clerk indicated she was happy to continue to undertake the role for the time being, to which Cllrs agreed.

21. Nidderdale Safer Neighbourhood meeting – 05.09.2018. The Chair reported that the North Yorkshire Chief Constable had been the speaker and amongst other items, attention had been given to doorstep selling, being something that had occurred in Kirkby Malzeard in the past. The Chair advised if stickers are displayed at residences that it is an offence for sellers to knock. **Action: Chair to enquire with Trading Standards and obtain stickers for residents to display.**

22. Training

- a) Chair to attend YLCA training course 'Finance and Budgeting for Local Councils' on October 16 – payment of £45 was approved.
- b) The Clerk updated that information on webinars and local training events were still awaited following the recent request to YLCA for them.

23. Financial items:

- a) Bank statements – details of balances, outgoings and income since to August 19th were advised of but a statement to September 19th was yet to be received by the Clerk.
- b) Cash Book – up to date record of payments and receipts were circulated and approved.
- c) Payment to DTMS Ltd for £60.48 for July and August's playground inspections was approved.
- d) Payment to DTMS Ltd for £141.12 for July and August's caretaker duties was approved.
- e) Payment to D3 Office Group Ltd for £12.28 for stationery was approved.
- f) Payment to Clerk for £65.53 for stamps, encrypted memory stick and filing cabinet was approved.
- g) Payment to Buckton Homes and Gardens for £760.00 for grass cutting was approved. Following previous concerns over the grass cuttings being uncollected, the Chair advised communication with the contractor over the matter and that as well as needing somewhere to dispose of the cuttings collecting up would probably cost £100-£150 more per invoice. A resident clarified it was just the banked areas of Main Street where it was needed. Cllr Aksut suggested a village composting scheme may be of use. **Action: Chair to enquire further with contractor and Cllr Aksut to research in to composting options.**
- h) Consideration of purchase of HP Envy Photo 6230 all-in-one printer and instant ink trial from Argos at a cost of £69.99, or an HP Laserjet Pro M102a mono laser printer £71.39 from Viking was given. Cllrs discussed and it was agreed for the first option to be purchased. **Action: Clerk to purchase printer and trial cartridge package from Argos.**

24. Any Other Business - there were no items raised by Councillors and Members of the Public for discussion.

25. Date of next meeting: Monday 29 October 2018 at 7.15pm in The Annex, Mechanics Institute, Kirkby Malzeard. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 19 October 2018 please.

The meeting closed at 09:45pm

Dated 04/10/2018

PARISH CLERK Jen Hurford, Holmes Cottage, High Walk, Kirkby Malzeard HG4 3RY (Postal enquiries only)

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