

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING

Held on 25 June 2018 at

The Annexe, Mechanics Institute, Kirkby Malzeard

The Meeting Commenced at 7.15pm

Present: Councillors Howard Mountain (Chairman), Geoff Lobley (Vice-Chairman), Ruth Broadley, Jane Aksut, Peter Saxon, Geoffrey Berry and Alan Brownlee, County Cllr Margaret Atkinson and District Cllr Nigel Simms, with Jen Hurford (Clerk), and 7 members of the public.

1. Welcome and apologies for absence.

The Chairman welcomed everyone to the meeting and noted that Cllr Aksut and Cllr Saxon were delayed. Both arrived in due course after the meeting commenced.

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

There were no items declared.

3. Approve the Minutes of the previous Parish Council meeting held on 21st May 2018.

The minutes of the Council meeting of May 21st were confirmed as an accurate account of the meeting. Proposed by Cllr Berry, seconded by Cllr Broadley 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 Chairman reported that the matter had been omitted from the Agenda at Azerley PC's last meeting, and no progress has therefore been made.

b) Consider use of Facebook Group rather than existing usage – Cllr Brownlee explained the use could be either as a public, closed, or secret group, and that posts could be made by group members which would then be verified by administrators. The Council agreed that a public group arrangement should be trialed for a period, with Cllrs Brownlee and Saxon, together with the Clerk, to act as administrators to spread the volume of work. **Action – Cllr Brownlee to create page and circulate for approval.**

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

a) NYCC – retrospective notification of Traffic Regulation Order to Church Street from 4th June. Revised position of double yellow lines outside the Church was considered and approved.

b) NYCC – notification of the renewal of subsidised local bus services with comments invited.

Action – Clerk to compare changes against existing services.

- c) Clicktrans – Notification of “My favourite cycling route in Yorkshire and the Humber” project competition. **Action – Cllr Brownlee to publicise on Facebook.**
- d) HBC - Request to take part in their Sport and Leisure Services consultation – agreed that Cllrs and public would complete survey individually if they wished to.
- e) NYCC – Notification of cattle-grid repairs commencing 6th June between Tom Corner and Greygarth, adjacent to Malaby Farm which involves a 5-week road closure. Cllrs discussed misleading road signage. **Action – Chairman to refer matter to Highways.**
- f) Police and Crime Commissioner for North Yorkshire - request for Councillors and residents to complete survey following changes made to the make-up of neighbourhood policing teams – agreed that Cllrs and public would respond individually if they wish to. Shortcomings with the automated phone warning service were raised and Cllr Atkinson advised of an email alert system available for ‘Farm Watch’. **Action – Clerk to obtain links to Police alert systems for website.**
- g) YLCA Training Programme for Councillors – Cllr Aksut interested in attending one course. Council agreed to fund unless non-essential. **Action – Clerk to liaise with Cllr Aksut over details.**

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

- a) 18/00808/FUL – Land at Mossie Mire Wood (421742 472841), Laverton – Erection of forestry store – Clarke – Permitted.
- b) 18/01087/FUL – The Henry Jenkins, Main Street, Kirkby Malzeard – conversion of part of public house and flat to create one dwelling – Claybourn – Refused. HJCC representatives commented that they now hoped that the Council would back their plans and advised that a revised business plan was being prepared based on that produced in 2017, with further visits to other similar businesses being arranged. They also confirmed their Opinion Survey was still ongoing, with over 70% of the Parish now completed, and a request for HBC to make a Compulsory Purchase Order on the building, was being made. The Council confirmed that the issue would be considered again when they are next asked for a response either to another planning application or as part of the CPO process.

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

- a) 18/02208/FUL – Sawpitts Farm, Laverton - erection of first floor and two storey extension (revised scheme) – Riley. The Council decided it had no objections to the application. **Action – Clerk to submit response to HBC.**

8.Planning – recent applications made to Harrogate Borough Council where no response is required from the Parish Council – for notification purposes only:

- a) 18/02369/PNA – North Close Farm, Kirkby Malzeard – erection of detached agricultural building to be used as machinery store – Mawer. The Council had no concerns to raise.

b) 18/02326/DISCON – Land at Field 419481 473254 Swetton, Dallowgill – removal of conditions under P.P 17/04517/FUL – Nelson. The Council had no concerns to raise.

It was agreed that it was useful to include notification of such applications on the Agenda and this would be continued in the future.

9.Planning – Enforcement issues. The Chairman confirmed that as anyone can anonymously refer potential breaches of planning rules to HBC for investigation, and as in many cases this was often done mistakenly and sometimes maliciously, it was agreed that such cases should not be referred to on the Agenda. The procedure to be followed when a Councillor was concerned that breaches had taken place was discussed and YLCA will be consulted for advice. **Action – Chairman to discuss procedure with YLCA.**

10.Planning - Neighbourhood Plan. The Chairman asked that the Council consider proceeding with the creation of Neighbourhood Plan for the Parish as this would provide the community with greater degree of influence over some planning matters within the Parish. It was a long process which would probably necessitate the creation of a Steering Group comprising Councillors and residents, with a referendum of the whole community being held before it came into force. Unlike the existing ‘Kirkby Malzeard Village Design Statement’ it would be legally enforceable but that document produced in 2002 would be a useful starting point. It was agreed that the Chairman would make further enquiries and that the matter would be discussed again at the next meeting with a view to proceeding. **Action – Chairman to obtain further details of Neighbourhood Plan process.**

11.Footpaths –

a) Back Lane to Ringbeck river – Clerk confirmed signage about clearing up after dogs was now in place and also that HBC had clarified that the emptying of any privately supplied dog waste bins would be responsibility of installer. It was agreed that it was not practical for this to be the Parish Council’s responsibility so HBC would be asked to provide a bin themselves for which they would be responsible. **Action – Clerk to apply for HBC installed bin subject to costings.**

b) Footbridge – Knott Farm to Dallow – defective handrail reported to NYCC Footpaths - Chairman confirmed that works were to be carried out by NYCC shortly.

12. St Peter’s Church, Dallowgill – A request from the Diocese of Leeds for an opinion as to whether ‘community use’ is practical or desirable in conjunction with any proposed sale was considered. Following discussions, which also involved members of the public from Dallowgill, it was concluded that there was no demand for the building to serve as a community venue given the presence of Greygarth Chapel and school-room and the limited number of community

events which took place. Reference was also made to the empty Old School building nearby and issues that could arise about parking. A suggestion was made that a religious group may be able to use it as a retreat, but that residential use may be the most practical. It was agreed that the opinions gathered be forwarded to the Diocese and further clarification of boundaries to the graveyard and information about fixtures and fittings should be requested for consideration at the next meeting. **Action – Chairman and Cllr Lobley to liaise with Diocese.**

13. HBC Community Infrastructure Plan, Preliminary Draft Charging Schedule Consultation – The Community Infrastructure Levy is intended to replace the existing Commuted sums system with developers required to provide some funding to the Parish to be spent on improvements locally. As the Charging Schedule was of a technical nature on which the Parish Council did not feel it had the expertise to usefully comment it was agreed that a general statement only would be submitted highlighting those aspects which the Council felt should be achieved by the new scheme. Cllrs discussed and agreed in principle the main points of the statement which were that all new builds and conversions should be subject to the levy with no minimum development size, that those built by individuals would be exempt if occupied for 5 years, that it should not apply to extensions and there should be less restrictions placed on how monies can be used, to include if possible offsetting of business rates for local businesses including Doctor's surgeries. **Action – Chairman to draft and circulate statement for approval prior to submission.**

14. Commuted sums currently available to use -

a) Laverton Bridge – as the concrete base is cracked, the provision of stone paving to the Pinfold was considered with a sum of £230.15 available for use before 02.10.2018. A quote for £290 plus VAT from Franklin Hardscapes of Laverton was circulated. The Council approved the work subject to the cost of the stone being compared to another supplier such as Jewsons and agreed to contribute the balance of the cost. The contractor was thanked for his offer to carry out the work on a 'labour free' basis. **Action – Chairman to discuss with contractor and submit application for funding to HBC.**

b) Main Street verges, Kirkby Malzeard – The Chairman confirmed that the application for £615.91 funding towards the Heritage Board project for Kirkby in Bloom had now been submitted to HBC.

c) Kirkby Malzeard Sports/Highside Play Area – a use-by date of 02.10.18 for a £1048.57 sum allocated to Kirkby Malzeard Sports was noted with additional sums of £2059.97 also available for Kirkby Malzeard Sports and Highside Play Area. **Action – Chairman to liaise with HPFA about use of funds.**

15. Crime – following recent car theft and burglaries within Kirkby Malzeard the Council considered whether there was any action it could take to promote vigilant behavior. Cllr Saxon advised that residents should be encouraged via the website and Facebook to lock windows and

doors and the Council will investigate setting up a link to the Police website to keep people informed of crimes locally. Cllr Aksut also advised of the need to be vigilant for drug use and sales even in a rural area such as this. **Action – Clerk to enquire about website link with the Police.**

16. Kirkby Malzeard Charity Trust – A response had been received from Mr. Trevor Bowen in which he indicated that he felt his role as the Kirkby Malzeard Parish Council representative might now be better undertaken by a current Councillor. It was therefore proposed by the Chairman and seconded by Cllr Broadley that Cllr Berry should take over as the Council's representative which was approved by the Council. The nature and purpose of the Trust was briefly outlined with sums raised by interest from investments and rental income being disbursed principally to the poor and elderly of the Parishes of Kirkby Malzeard, Grewelthorpe, Azerley and Laverton. As Cllr Lobley, the Laverton Parish Council representative, had previously raised concerns about some aspects of how the Charity was functioning it was agreed that the Charity would be informed of the Council's new representative and asked to provide information so that the Council would be in a position to confirm that the body was fulfilling its responsibilities. **Action – Clerk to contact Charity Trust on basis referred to above.**

17. YLCA meeting 18 June 2018 –

- a) Report on meeting by Chairman – useful advice had been obtained on GDPR and on the revised process of issuing Agendas for extraordinary meetings, such as the interim planning meetings.
- b) Cllr Aksut volunteered to be the second Council representative for YLCA meetings and this was approved. The Clerk advised of notification of the YLCA Joint Annual Meeting at 2pm on Saturday 14th July at The Bridge Hotel, Wetherby. **Action – Clerk to email Agenda amongst Cllrs.**
- c) The Council approved an amendment to section 5k of the Standing Orders regarding Interim Meetings in the light of item 17a above.

18. Inspection of Council Property Assets

- a) Cllr Aksut confirmed inspection of the Pinfold and Market Cross on 17th June with no untoward observations to report, as did Cllr Lobley of Greygarth Monument on 24th June, and the Chairman of Lamberts and Laverton Quarries on 20th June.
- b) Progress report on repairs to stile to approach to Greygarth Monument – Cllr Lobley confirmed landowners have clarified they are not responsible for the repair, and given the gate is difficult to open, it was agreed a quote should be obtained to erect a new stile. **Action: Clerk to source estimates for works.**

19. Woodyard, Kirkby Moor Road, Kirkby Malzeard

The Council again considered a request by the tenants to sell them the property with a verbal offer of £10,000 having now been made. It was decided, as it would not appear possible to reinvest this sum on a low risk basis and receive a sum in line with the current rent of £840pa, and as there was currently no requirement for a capital sum of this size for any projects, that the Council would wish to continue letting the property rather than sell. If, in the future a capital sum could be utilised, for example if a suitable area of land became available for village allotments, the matter would then be reconsidered. The existing lease does require updating and it was therefore agreed that solicitors be instructed to prepare a draft lease for both parties to consider. **Action – Chairman to advise tenants of decision and discuss lease with Hutchinson & Buchanan Solicitors.**

20. Children's Play Area

- a) The last monthly report from DTMS did not refer to any urgent works.
- b) The Chairman confirmed that the legal department at HBC had still not issued a draft lease despite further requests to do so.
- c) Cllr Aksut advised that she would report back shortly on the Local Lotto Fund meeting she attended which may be applicable to the Play Area.

21. Highways Issues

An up to date list of items which still required attention by Highways will be sent with the following new items raised by Councillors and public added;

- a) The poor condition of Kirkby Moor Road at the Laverton Road junction.
- b) Plastic bollards left on the Ripon Road verge following accident.
- c) Potholes on the Ripon Road near Thieves Gill Farm.
- d) Continuing issues with flooding and verges at Thieves Gill near to the Mickley junction.
- e) The poor road condition near Carr House Farm, Dallowgill.

Action – Clerk and Chairman to report to Highways.

The Clerk provided an update following her attendance at Area 6 Workshop on 29th May. The lack of funding available had been reiterated and that although a 30day turnover for works was aimed for by Highways, low priority works such as sign cleaning would take longer to address. It was advised that once works had been submitted via the Parish Portal, the Council should then email or ring to let know when they become urgent.

22. DTMS (Parish Caretakers)

- a) The Council considered the new hourly rate of £16.80 plus VAT and the contracted basis for up to 4 hours of work per month and this, together with the task list details for 2018-19, were approved.

b) There were no issues with work which had been carried out and no new one-off items to be requested. It was agreed that any road sign cleaning should be treated as a one-off item as and when required in the future.

23. GDPR

The Clerk confirmed that the Data Audit had been completed, and a Draft General Privacy Notice was now available on the website, with a version for Councillors and the Clerk to be circulated in due course. The Clerk had also circulated a draft Records Management Policy for approval with a Breach Policy still to be drafted. All these documents would be put on the Agenda for approval at the next meeting. With regard to email addresses for Councillors, whilst Councillors could create their own, YLCA had suggested that the Council should provide them. **Action – Clerk to request further advice on this from YLCA.**

24. Financial items:

- a) Bank statements – details of balances, outgoings and income since last month were provided.
- b) Cash Book – an up to date record of payments and receipts was circulated.
- c) Bank signatories – the Clerk reported that HSBC had now approved the mandate provided for the altering the signatories.
- d) Approval of payment to Clerk for £39.70 for reimbursement of stationery and stamps and mileage was given.
- e) Approval of payment to Howard Mountain, following cancelled cheque and direct payment by Chairman to Jeni Cropper, for £22.50 for printing at Ripon Business Services (from T de Y grant) was given.
- f) Approval of payment to Howard Mountain, following cancelled cheque and direct payment by Chairman to David Robinson, for £215.00 for flags from Starbeck Educational Resources (from T de Y grant) was given.
- g) Approval of payment to Howard Mountain, following cancelled cheque and direct payment by Chairman to David Robinson, for £85.00 for Bunting from Starbeck Educational Resources (from T de Y grant) was given.
- h) Approval of payment to Howard Mountain, following cancelled cheque and direct payment by Chairman to David Robinson, for £26.98 for Cable Ties from Gocablesties Ltd (from T de Y grant) was given.

Note: Items e-h necessary due to delays caused by HSBC in arranging new signatory mandate.

25. Any Other Business

There were no items raised by Councillors and Members of the Public for discussion.

26. Date of next meeting: Monday 30 July 2018 at 7.15pm in Greygarth Chapel, Dallowgill. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 20 July 2018 please.

The Meeting Closed at 09:40pm

Dated 03/07/2018

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

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