

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING held in The Annex, The Mechanics Institute, Kirkby Malzeard on 26 March 2018 The meeting commenced at 7.15pm

Present: Parish Councillors Howard Mountain (Chairman), Geoff Lobley (Vice-Chairman), John Peacock, Ruth Broadley, Gerry Mass, Gwynneth Jackson and Margaret Atkinson (District/County Cllr) with Jen Hurford (Clerk), and 7 members of the public.

1. Welcome and apologies for absence.

There were no apologies for absence.

2. Declarations of Disclosable Pecuniary Interest.

Cllrs Lobley and Mountain declared a 'Other Interest' for item 10 and provided information only when the item was discussed.

3. Approve the Minutes of the previous Parish Council meeting held on 26th February 2018.

The minutes of the Council meeting of February 26th were confirmed as an accurate account of the meeting. Proposed by Cllr Mass, seconded by Cllr Broadley and signed by the Chairman

4. Co-option of Councillor following resignation of Cllr Mike Hurford.

Clerk reported that no one had come forward for the position following advertisement. It was agreed that the post be kept open to give further opportunity.

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

- a) Important Information for Dog Owners – Posters advising dog walkers and owners now printed - to be displayed along rights of way with stock. **Action – Cllr Mass to display within Kirkby Malzeard and Clerk in Laverton and Dallowgill areas.**
- b) Dallowgill noticeboard – Following weather damage to one of the doors, the previous noticeboard on the Old School is to be used until repair undertaken. Due to exposure of siting, re-locating of board to the wall of Tom Corner Barn to be investigated again. **Action – Chairman to approach owner and tenants of Tom Corner Barn to discuss.**
- c) Highways Yard, Laverton – rent requested from NYCC ideally by the end of the financial year. **Action – Clerk to chase.**
- d) Henry Jenkins – further to the request for advice from HBC on position re Planning and ACV if property split, HBC clarified that the premises are considered as one unit for planning purposes, so would require planning permission should individual sections be sold and used separately. HBC also advised that an ACV does not restrict the buyer from selling in sections

although this, or the granting of planning consent, would cause the listing to be automatically reviewed. Mr. Fielder (the owner) has indicated that a section had now been sold and it was therefore likely that the purchaser would be making a planning application shortly.

6. Correspondence.

a) Local Organisations – Letters of thanks for their Local Organisation Grant received from Mechanics Institute, Highside Playing Fields Association, Kirkby In Bloom and Kirkby Malzeard Youth Club.

b) Police & Crime Commissioner – notification from Julie Mulligan of £3 million investment into North Yorkshire Police’s Force Control Room over the next two years to reduce the average 101 call waiting times. Improvements include; new accommodation at Fulford Road in York for the larger team of call handlers and staff; improved training and tutoring facilities so people can be coached in smaller groups more quickly; 32 additional full-time staff; state-of-the-art IT equipment; a new Crime and Occurrence Management Unit.

c) NYCC – Request to Parishes to complete a survey form about Vehicle Activated Speed Signs and Speed Indicator Devices to assist the Transport, Economy and Environment Overview and Scrutiny Committee undertake a review to determine whether to provide parish councils with the opportunity to fund the purchase and maintenance costs of Vehicle Activated Speed signs (VAS) or Speed Indicator Devices (SIDs). Cllrs agreed a participation would be valuable.

Action – Clerk to draft response to six questions for approval.

d) HBC – notification of garden waste fortnightly recycling service available to residents for £39pa.

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

a) TPO 18/2018 – Wensleydale Dairy Products, Ripon Road, Kirkby Malzeard – Notice given that the Tree Preservation Order took effect, on a provisional basis, on 16 March 2018. It will continue in force on this basis for a further six months or until HBC confirms the order, whichever occurs the first. The consultation period with the affected parties will expire on 21 April 2018.

b) 17/05482/OUT – Land Comprising OS Field 5419, Galphay Road, Kirkby Malzeard – Outline application for the erection of 2 no. dwellings with access considered – Refused.

8. Planning – recent Planning Appeal decisions made by Planning Inspectorate:

a) 17/00117/HOUSE – Sawpitts Farm, Laverton – Erection of first floor and two storey extension (Revised scheme) – Appeal dismissed.

9. Planning – recent applications made to Harrogate Borough Council and North Yorkshire County Council. The Parish Council will provide a response on the following cases:

There were no applications to consider.

10. Tour De Yorkshire on May 6 – report on progress.

a) Public open meeting held on 24th March to find volunteers, ideas and bikes to be painted – some of each obtained. Parish Council granted £650 funding from the HBC Tour de Yorkshire Small Grant Fund with the Mechanics Institute awarded £575 and Kirkby Malzeard School £500. Activities on the day so far include a flower festival at the church, land art at the school, TV coverage and exhibition at the MIVH with a BBQ and children's events at Highside Playing Fields. No funding requested from Parish Council at present.

b) Committee is awaiting confirmation of all events prior to requesting Council to make insurance arrangements.

11. Footpaths –

a) Arrowfield, Main Street, Kirkby Malzeard – confirmation that 25 evidence statements returned, most of which indicate use over the full previous 20-year period. Some historic documentation also obtained confirming presence of public footpath. The Council approved proceeding with a Definitive Map Modification Order application.

b) Back Lane to Ringbeck river – following excess dog waste and request from a resident to install bin and bags, enquiries made with HBC's Dog Warden. She confirmed current and ongoing visits to the village due to the report of the problem, suggested circulation of HBC's 'Dog Fouling Leaflet' on public media and will provide signs to be erected. An application can be made to HBC for a Dog Litter Bin, but there is a long waiting list for these. Cllr Mass highlighted not to circulate too many posters in the local countryside. **Action – Clerk to approach landowner for permission to erect signs and establish responsibility of emptying bins.**

12. Annual Parish Meeting Exhibition / Defibrillator Awareness Session.

Arrangements discussed and agreed. Meeting to commence with Defibrillator training session at 10am after which there would be an update on the Tour de Yorkshire events, followed by the serving of teas and coffees alongside the exhibition until 12 noon. Cllrs and Clerk to assist with the set up. **Action – Cllr Mass to liaise with MI over refreshments. Chairman to organise printing of approximately 500 flyers for Cllrs to circulate in advance, and for brochures to be handed out on the day.**

13. Market Cross, Kirkby Malzeard.

The owner of Kirkby House (the Old Police Station) was in attendance and indicated, as a courtesy, that she and the new owner of Park View Cottage, had agreed to jointly pay to re-tarmac the area to the front of their properties, adjacent to the Market Cross. The Council stated that it had no objections to the proposed works which were simply re-instating the existing surface, which is currently in poor repair. The owner indicated that she had investigated the

ownership of the area in question on purchase and was not aware of any other interested parties.

14. Parish Council Elections Thursday 3rd May 2018.

Update on timeline of events and associated actions to be carried out. Notice of Election published on 23rd March, with nominations to be submitted by 6th April - potential Cllrs to book an appointment at HBC to submit. Need for new Cllrs to be publicised on the websites and Facebook to encourage people to stand, with known interest so far from only one Kirkby Malzeard resident. **Action – Clerk and Chairman to publicise need for potential Cllrs to come forward.**

15. Report on meetings attended on behalf of Parish Council.

Meeting on March 7 with Highways Department at Pateley Bridge attended by Chairman. NYCC confirmed that their maintenance budget for the whole of the County is £1.2 million, working out at 60p per metre, per annum. Redesign of roads was discussed and those where accidents had occurred are prioritised. The Highways Department were at lengths to encourage Councils and residents to report problems. Link to the inspection manual providing criteria for issues was provided, for example, blocked gullies do not meet criteria if gullies further down are collecting the water, and excess surface water on roads will not be addressed if caused by inadequate land drainage. Clarification that painting of lines will only be carried out over summer. Where speeding appears a problem, monitoring would have to be carried out with cables before any signs introduced. Clarified that parking on pavements is only an offence if causing an obstruction and can be reported via phoning 101 accompanied by photographic evidence.

16. Inspection of Council Property Assets.

The Clerk confirmed inspection of the Pinfold on 23rd March and Market Cross on 25th March with no untoward observations to report, as did the Chairman of Greygarth Monument on 22nd March, with signage now ready to erect. Discussion that the Asset Register will need to be updated from 31st March to include new noticeboards, benches and defibrillator accrued.

Action: Cllr Lobley to erect caution sign at Greygarth Monument.

17. Children's Play Area –

- a) The latest monthly report from DTMS was considered, with notification of an area of tarmac lifting, for which DTMS have been asked to quote to resolve.
- b) Clarified that no further progress on the transfer of Play Area lease from HPFA to Parish Council with action by HBC legal department still pending.

18. Highways Issues.

Update on items previously reported, including the recent re-surfacing at Church Street to Church Bank, and in Laverton for which Highways Department would be thanked. The provision of grit boxes for de-icing pavements was discussed, with confirmation that bins can be purchased from HBC at a cost of £50 per bin, plus £70 for 2 re-fills. County Cllr Atkinson clarified that if a Parish Council organised a pavement clearance scheme, they would be held liable if a day were missed and an accident occurred. Bins would therefore only be available for residents to use and it was agreed that a large number of bins would be needed for full coverage to be possible. **Action – Chairman to investigate volume of salt bins can hold and practicalities of siting etc and report back.**

Items to be raised with NYCC, from Cllrs and public were as follows;

- a) Road sign at West End of Kirkby Malzeard still to re-erect.
- b) Direction sign opposite Laverton bridge still to be replaced and repositioned. Discussion about relocating the white lines of the road to help discourage large vehicles from going down the narrow village lane. Noted that an order would be needed to be put in weight restrictions for which Highways had little funding available currently.
- c) Number of potholes along Longswales Lane, particularly on corner near R&J Catering premises.
- d) Pothole along road from Laverton to Galphay road and another on Missies lane to be reported again as now much deeper.

Action – Clerk to update Highways Portal record and report new items. Chairman to enquire about relocation of road lines at Laverton Bridge.

19. DTMS Task List.

No items to report on work carried out by Parish Caretakers. Notification of enquiry from resident over whether routine works include the repairing of verges, clearing of road gullies and litter picking could be carried out by DTMS. Agreed that sadly this was prohibitively expensive and re litter picking, difficult to monitor what was actually done. **Action – Chairman to establish if spraying the roots to stop growth of snowberry bushes at Market Cross was an option when these were strimmed off.**

20. Matters relating to employment of Clerk.

Sickness Policy circulated amongst Cllrs, the Chairman proposed use of the final draft and Cllr Mass seconded this. Approved by Council. Notification of the Clerk's staff appraisal due in April.

21. Data Protection.

The Clerk discussed the provision of a GDPR Toolkit provided by YLCA to assist in ensuring the Council complied with new regulations to be introduced in May, but that the appointment of a DPO is yet to be clarified. Cllrs agreed to funding of costs of £45 to be shared with Masham

Parish Council for the Clerk to register on a YLCA's training session when the next dates are issued.

22. Common Land owned by Council.

- a) Confirmation of response from NYCC on Woodhouse Bogs, Winksley that they will liaise with Azerley Parish Council over the ownership.
- b) Coal Pit Goal Woodyard, Kirkby Moor Road, Kirkby Malzeard – confirmation that the Tenants do still prefer to purchase the premises and the Chairman has suggested that they put forward a firm offer in May once the new Council is in place and that as such arrangements for a new lease should be put on hold.

23. Financial items:

- a) Bank statements – details of balances, outgoings and income since last month were confirmed.
- b) Cash Book – up to date record of payments and receipts for year were circulated, with the Defibrillator Awareness Session donations and rent due from NYCC anticipated to increase the balance.
- c) Bank signatories – Clerk reported on progress altering signatories, with form provided to Cllr Lobley from HSBC, that should then take 10 working days to come into effect once received, so new signatories should be in place for the next meeting.
- d) Payment to GJ Meer for £40.00 for repair to bench overlooking the Green was approved.
- e) Payment to YLCA for £403.00 for membership from 1 April 2018 to 31 March 2019 was approved.
- f) Payment to DTMS Limited for £57.60 for playground inspections in January and February was approved.
- g) Payment to D3 Office Group for £28.24 for stationery was approved.
- h) Payment to Cllr Mountain for £20.28 to reimburse for purchase of sign for Greygarth Monument from Safety Signs 4 Less was approved.
- i) Payment to Clerk for £42.22 for reimbursement of stationery and stamps was approved.
- j) Payment to Yates Playgrounds for £242.40 for two toddler swings plus delivery was approved.
- k) Payment to Merrin Electrics for £200.00 plus VAT for the installation of the defibrillator was approved.
- l) Payment to Beyond Digital for £36.00 out of the T de Y grant for printing flyers was approved.
- m) The purchase of laminator and pouches was discussed and agreed that although the MI had one that could be borrowed, it might be preferable for one to be purchased. In addition, the high number of ink cartridges required for the existing Epson printer was discussed and the

purchase of a replacement printer suggested. **Action - Clerk to obtain cost of laminator and replacement printer for consideration at next meeting.**

24. Any Other Business.

Cllr Lobley highlighted the lack of display options for election documents at Dallowgill on election day, resulting in the damage of the décor. **Action – Cllr Lobley to liaise with Laura Jolly at HBC over temporary boards to be supplied.**

25. Date of next meeting:

The **Annual Parish Meeting** will be held on Monday 30 April 2018 at 7.15pm in the annex room of the Mechanics Institute, Kirkby Malzeard. Representations in writing by organisations will this year be made at the **Annual Parish Meeting Exhibition** to be held on Saturday April 21 in the Main Hall of the Mechanics Institute. The **regular monthly Meeting of the Parish Council** will follow the Annual Parish Meeting on April 30 and will commence no earlier than 7.20pm. Any items to go on the Agenda for the monthly Council meeting should be submitted to the Clerk by 20 April 2018 please.

The Meeting Closed at 8:45pm

Dated 07/04/2018

PARISH CLERK Jen Hurford, Holmes Cottage, High Walk, Kirkby Malzeard HG4 3RY Tel 01765 650363

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

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