

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

Parish Clerk: Mrs C.M. Raw, West Leas Farm, Galphay, Ripon HG4 3 PB
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Minutes of the Parish Council meeting held in the Annex room of the Mechanics Institute, Kirkby Malzeard on Monday 19th December at 7.15 pm.

Present: Councillors Howard Mountain, Mike Hurford, Gwynneth Jackson, Gerry Mass, Geoff Lobley and Ruth Broadley, four members of the public and District/County Councillor Margaret Atkinson.

- 1 Apologies for absence – Cllr John Peacock.
- 2 Declarations of interest by Councillors for any item on the agenda - Cllr Broadley declared an interest in item 10e.
- 3 The minutes of the previous meeting held on November 28, 2016 were confirmed as a true record - Proposed by Cllr Mass and Seconded by Cllr Hurford. The minutes were signed by the Chairman, Cllr Mountain.
- 4 Matters arising from the previous meeting (being items not covered elsewhere on the agenda).
 - a) Item concerning Parish emergency committee: no progress since last meeting but Cllr Mountain intending to hold informal committee meeting with representatives of the Parish Council, Mechanics Institute, First Response team and the School in January.
 - b) No progress on question of Love Lane gate – Cllr Hurford called in person at The Dairy but nobody was available to talk. He will call again after Christmas.
 - c) No reply from HBC about damaged bin on the playing fields – Clerk to make another request for this to be replaced.
- 5 Progress on the future of Henry Jenkins public house. The council considered additional information from the owner which he has submitted to the Planning Department following a site meeting earlier in the month with the Planning Officer, including some alterations to the design of the proposed houses. The council also discussed the application by the 'Save the Henry Jenkins' group to have the property listed as an Asset of Community Value, and noted that a decision on this would be made by Harrogate council by February 5, 2017. Councillors were asked to consider any responses they may wish to make to the application. The council also noted concerns that the proposed additional uses suggested in the ACV application, such as community venue and café, could potentially affect the future of the Mechanics Institute. The council would have welcomed input from the 'Save the Henry Jenkins' group and was disappointed that no-one chose to attend.
- 6 Response to Harrogate B.C. regarding the Draft Harrogate and District Local Plan – the following response was agreed:

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The members of the Parish Council have either viewed the documents on line or visited one of the recently held exhibitions. As a council we wish to make various comments and also submit our initial desktop analysis, which we undertook at the end of April when the initial potential sites were put forward.

Since the publication of your draft plan the following comments have been put forward by Council Members.

1. Any development on the western edge of the village will introduce further traffic down the Main Street which can be regularly congested with parked vehicles.
2. Any development on the western fringes of the village may necessitate substantial improvements in the sewerage system, which historically has been problematical. The upgrading of the sewerage system, if necessary, should be a condition for the developers.
3. Development of a Brownfield site, such as the Dairy (KM1) would be preferable. Also a site such as this has all the services available, including a full and adequate sewerage system, directly to the local sewage farm. Also no additional traffic-flow through the village would be created, as would be the case for any development to the east.
4. Any development should ensure that there is a mix of housing to include affordable and social housing to meet the needs of the community.
5. The present Development Limit seems haphazard; it neither allows sufficiently for individual development, nor includes many existing buildings, which form an integral part of the village. We do not understand the rationale behind the boundary.
6. Response to Harrogate B.C. regarding the Minerals and Waste consultation document – the following response was agreed:

'We would not wish to see any safeguarding of mineral or coal deposits which would affect normal development within the Parish. It is felt that the extraction of both sand/gravel or coal would be detrimental to the nature of the area, particularly given the AONB status.'

- 7 Kirkby Malzeard Children's Play Area – Cllrs Mountain and Hurford provided a report on their recent meeting with Highside Playing Fields Association Chairman Richard Lockey and Treasurer Peter Cooper to consider future funding of this important parish facility. The HPFA are concerned that they may not be able to continue to afford to maintain the Children's Play area in the future without greater financial assistance from the Parish Council. It was agreed that in the short term (subject to confirmation of cost) the Parish Caretaker would be instructed to undertake the monthly inspections and some routine maintenance, to be paid for from the parish council budget. In the longer term most of the equipment will need replacing, and whilst a large part of this would have to be found from grants and commuted sums money, the Parish Council may have to consider increasing the precept to cover any shortfall, if there was support from residents to do this.
- 8 Planning – decisions made by Harrogate B.C. Planning Department
 - a) 16/02965/OUT – OS Field 9850, Missies Lane, Laverton – outline application for erection of a new development with all matters reserved – Refused by Harrogate B.C.
 - b) 16/03181/FUL – Autumn House, Back Lane North, Kirkby Malzeard – conversion of agricultural building to form one dwelling, to include erection of single storey extension, installation of roof-light and alterations to fenestration – Permitted by Harrogate B.C.
 - c) 16/03469/FUL - Castiles Farm, Dallow – erection of 10 camping cabins and toilet/shower block, formation of car-parking and bin-store, and installation of package treatment plant – Permitted by Harrogate B.C.
 - d) 16/04618/FUL – 3 Dallow Cottages, Dallow –erection of first floor extension - Permitted by Harrogate B.C.

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The council assessed these decisions and were particularly concerned to note the decision on 8c to which all councillors had objected. This had been supported by the AONB despite the potentially damaging effect it might have on the landscape and a meeting is to be sought with the AONB to discuss this matter further.

9 Planning – new applications to be considered.

- a) 16/04744/FUL – Laverton Bridge Cottage, Laverton – erection of single storey extension – Fraser. Decision D - The Parish Council Supports the application.
- b) 16/02114/FUL – Bramble Cottage, Kirkby Moor Road, Kirkby Malzeard – change of use of agricultural land to domestic use, to include formation of driveway and parking areas and formation of new access – Lonie.
Decision B - The Parish Council objects on these planning grounds: 1) The proposed parking area is considered excessive for the nature and size of this small property. 2) There appears to be no necessity for two entrances to this property and if the new entrance is approved it should be subject to the existing entrance being closed up. 3) The council is concerned about the loss of a section of established hedgerow. 4) The council also has concerns about the effect on the overall visual amenity given its position alongside the principal road into Dallowgill within the Nidderdale AONB. 5) The council asks that in the normal manner the Planning Department ensure that works carried out to the property in the past, comply fully with previous permissions.
- c) 16/05070/ADV – (Antique Shop), North View, Main Street, Kirkby Malzeard – display of 1 non-illuminated fascia to the front elevation – Jones. Whilst the Council was not asked to provide an opinion on this case, a letter of support is to be sent, as it is considered important that this long-standing matter is finally resolved.
- d) 16/04994/DVCON – The Haven (proposed house next to Montreux), Laverton Road, Kirkby Malzeard – variation of condition 2 (Approved Plans) of Permission 15/05350 for substitution of approved plan details, for revised details – Fillingham. This was included on the agenda for information only – the council was not asked to provide an opinion.
- e) 16/04101/OUT - Notice of Harrogate B.C. Planning Committee meeting on December 20 to consider this Outline planning application for the erection of up to 4 dwellings with access considered - Land adjacent to Parkfield Galphay Road Kirkby Malzeard – included on agenda for information only.

10 Correspondence

- a) Electoral review recommendations concerning the boundaries of District Council wards to be implemented in 2018. Kirkby Malzeard, Laverton and Dallowgill parish will be part of a new Ward known as the Masham and Kirkby Malzeard ward. The boundaries of the parish council itself will not be directly affected.
- b) Information on Leader Grants. Details of this EU funded grant scheme which provides capital grants of between £5000 and £100,000 for suitable schemes, will be sent to both the Mechanics Institute and the Highside Playing Field Association committees, in case it is relevant.

11 Trees on Common Land (Lamberts Quarry and Laverton Quarry South) – review of report from tree specialist. Councillors have now considered the report and were satisfied that it was adequate for its purpose. Cllr Mountain has written to neighbouring land owners asking them to confirm which trees they own before any work is commissioned.

12 Noticeboards at Kirkby Malzeard and Laverton.

- a) Kirkby Malzeard -The hanging display for the inside of the Snooker Room window in the Mechanics Institute has been ordered. This will be installed as soon as possible and the

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external noticeboard removed (Clerk to dispose of this as it is beyond economic repair). A key for the Snooker room will be provided for the Clerk.

- b) Laverton – The council is still seeking an acceptable estimate for replacing the noticeboard. Any joiners interested in quoting should contact the Clerk.
- 13 Community Led Housing meeting on November 29 at Hutton Rudby – report from Cllr Hurford. On the basis of the information obtained from the meeting Cllr Hurford intends to form a steering committee from some local villagers who have an interest in supporting applications for local low cost housing, and he will report back on progress in due course.
- 14 Council documents – Councillors have now considered the First Draft of revised Standing Orders and are satisfied with progress so far. Cllr Mountain will now create a list of suggested amendments for consideration.
- 15 Finances
- a) Commuted sums update- Kirkby in Bloom bench and tubs have been approved by Harrogate B.C. Cllr Jackson suggested that the Highways Department be consulted before work is commenced in case their consent is needed.
 - b) Progress on precept application- has been sent and approved.
- 16 Highways issues – various issues have been discussed with the Highways Department and the following responses received:
- a) Highways will write again to the owner of The Old Chapel, Laverton requesting that the hedge which obscures the road sign opposite the bridge, is cut down.
 - b) Low Ray Carr, Dallowgill – missing ‘Narrow road’ signs reported, but Highways say that they were never there and will not be provided as Single Track signs present further along. Highways are to be asked to remove the posts of the signs that were never there!
 - c) Missing ‘Give way’ sign- Belford Lane/ Dallowgill Road junction – again Highways deny there was ever a sign there although once more the pole is present. The council feels a sign is essential on this junction for safety reasons and we shall photograph the pole, and request that this be re-instated.
 - d) Missing signpost to Carlsmoor from Kirkby Moor Road - It is believed that this was a Harrogate B.C. sign and they will be asked to provide a new one.
 - e) Missing Cattle grid signs at Greygarth – Highways have agreed to replace these.
 - f) Signage in the event of flooding to south of Laverton Bridge – Temporary ‘Road Closed’ signs requested to be used by residents when river breaks its banks, but Highways state only they or police can close a road and they should be contacted in such circumstances. Use of advisory signage is now to be considered.
 - g) High Walk, Kirkby Malzeard – Following the raising of this issue Highways have repaired the pavement, but a problem remains where the access drive to The Grange crosses the pavement. Cllr Mountain will discuss with the owners.
 - h) Missies Lane, Laverton – a timber barrier has been repaired although not clear why this was given priority. It will be requested that reflectors are added.
 - i) Ditch in front of Laverton Quarry common land- as Highways have failed to dig this out despite requests going back three winters, the Clerk will contact Parish Caretakers about cost of having this done.
 - j) Additional signage to the Playing Fields from Main Street – no progress – Clerk will ask again.
- In addition to the above various new issues were raised:

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- k) Concern that there is no warning signage about the Cemetery entrance on Galphay Road – Clerk will raise with Highways.
 - l) Back Lane North potholes – Clerk to confirm that this is on the resurfacing programme for next year.
 - m) Road sign missing on Laverton Road / Kirkby Moor road junction – to be reported by Clerk.
- 17 Position of Clerk – progress report from committee dealing with the appointment of new Clerk. Salary scale and job description has been discussed – advice from YLCA awaited. Advertising will begin in New Year.
Cllr Mountain appointed as Acting Clerk until such time as new Clerk appointed. – Proposed by Cllr Hurford and Seconded by Cllr Mass. The Clerk confirmed the date she officially finishes will be January 4, 2017.
- 18 Any other business –
- a) Kirkby Malzeard Charitable trust – Councillor Lobleby currently represents the Parish Council on this and Councillors were happy for him to continue in this role – he will report back to the next meeting on the outcome of the AGM of this organisation in January and provide more information on its role.
 - b) Repair of Pinfold Gate – as there has been no progress by contractors the tenant Paul Johnson will be asked to repair and repaint the gate himself and the Parish Council will pay for materials if he is agreeable to this.
 - c) Rural Broadband – Cllr Mountain will contact Superfast North Yorkshire to establish when the rural areas of the parish can expect the service to be upgraded.
 - d) Inadequate mobile signal in parish. Clerk to contact Providers and request service be improved.
- 19 Date of next meeting – Monday January 30 at the annex room of the Mechanics Institute starting at 7.15 pm.

There being no further business the meeting closed at 9.05pm. The Clerk was presented with flowers, wine and a gift voucher and thanked for her work over the 17 years since she was first appointed. She thanked the Councillors too and said she had enjoyed the work and would miss them all.

Clerk to the Parish Council

Dated Wednesday December 28, 2016



Mrs C. M. Raw

Parish Council website: www.kmldpc.btck.co.uk

Signed..... Date.....