

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

Acting Parish Clerk: Mr Howard Mountain, Mount Pleasant. Laverton, Ripon HG4 3RH Telephone: 01765 658838 E-mail: kmldpc@btinternet.com Website: kmldpc.btck.co.uk

MINUTES OF THE PARISH COUNCIL MEETING HELD IN THE SCHOOL ROOM OF THE METHODIST CHAPEL, KIRKBY MALZEARD ON MONDAY FEBRUARY 27 AT 7.15pm

Present: Parish Councillors Mike Hurford, John Peacock, Geoff Loble, Ruth Broadley and Howard Mountain, together with five members of the public.

1. APOLOGIES FOR ABSENCE - Cllr Gerry Mass and Cllr Gwynneth Jackson.
2. DECLARATIONS OF INTEREST by Councillors for any item on the agenda – none.
3. THE MINUTES OF THE PREVIOUS MEETING held on January 30, 2017 were confirmed as a true record - Proposed by Cllr Broadley and Seconded by Cllr Loble. 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) Love Lane, Kirkby Malzeard – The owners of both adjoining properties Wensleydale Dairy and Mowbray Hall, have indicated that they do not own this footpath, and St Andrews Church have also confirmed that it is not in their ownership. The Church closed off the gate at their end some years ago as it is not a designated public footpath. The Parish Council therefore propose to chain up the gate at the Ripon Road end in order to prevent access, as the path is badly overgrown with a build-up of litter present. This work will be carried out shortly.
 - (b) 2016-17 Support grants to the Mechanics Institute and Highside Playing Fields – The Council has now received satisfactory applications from the above organisations indicating that they need funding to undertake maintenance and improvement work. The Council approved funding of £1,600 and £500 respectively. Cllr Hurford took no part in the discussion when the grant to the Mechanics Institute was considered, as he has an ‘Other Interest’ in this matter.
 - (c) Laverton River Bank – It was agreed that the Council will endeavour to determine the ownership of this area of land so that it can ensure that any essential maintenance work is carried out. Land Registry will be contacted to establish the cost of obtaining any information from them.
 - d) Welcome Pack and Facebook page – These items will be dealt with by the new Clerk when appointed.
 - e) Mobile signal – The acting Clerk has written to Ofcom to seek advice on whether action can be taken to improve the number of providers serving the Parish and will report back to the next meeting.
5. QUEEN'S HEAD, KIRKBY MALZEARD – The Parish Council were pleased to note that an agreement has been reached between the owners and the tenants in respect of a revised rent, enabling Darren and Chrissie Plant to remain as Landlords. Another rent review is due in 12

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months time, and it is hoped that a similar agreement can be achieved then.

6. HENRY JENKINS, KIRKBY MALZEARD –

a) It was noted that the application for the listing of the property as an Asset of Community Value had been dismissed by Harrogate Council.

b) Confirmation received from Harrogate Planning department that the roof height of the new houses would be the same of the existing houses to the west. It was agreed that Cllr Hurford would represent the Parish Council at the Planning committee meeting on February 28 when a decision on the planning application was to be made. A statement from the Parish Council was agreed. *(Subsequent to the meeting the decision of the Planning Committee was that the application be refused. The Council will monitor the situation and the item will be included on next month's agenda for discussion).*

7. CHILDREN'S PLAY AREA, KIRKBY MALZEARD – The Council has obtained a quotation from DTMS for carrying the maintenance work outlined within the Annual Safety report obtained last September by Highside Playing Fields Association. HPFA have also obtained a quotation from Streetscape for the replacement of one piece of the play equipment and for maintenance work, for which Grant funding may be available. A meeting with HPFA will be arranged to discuss how best proceed with this matter. HPFA are to remain responsible for insurance at present. The condition of the cradles to the Toddlers swing, which was not commented on in the Safety report, has been referred to HPFA for their attention.

8. DISCUSSION OF PROPOSAL TO SUBSTANTIALLY INCREASE THE PRECEPT FROM COUNCIL TAX TO PROVIDE ADDITIONAL SUPPORT FOR LOCAL ORGANISATIONS – This idea was raised by Mrs Annabel Andrew on behalf of Highside Playing Fields Association and the Mechanics Institute. Whilst it is recognised that fund raising by local organisations tends only to result in money from core supporters who regularly use these amenities, rather than from others who only use them occasionally, the Council felt that there would be resistance to any substantial increase by a significant number of council tax payers, particularly those living outside Kirkby Malzeard. There would effectively have to be a referendum or similar before any such increase could be made. Councillors will discuss this matter again next month and would welcome input from residents.

9. KIRKBY IN BLOOM – The Council approved payment of the 2017 entry fee into the Yorkshire in Bloom competition, being a sum of £45. It also approved payment of the £70 premium for the RHS insurance which the group are now required to have. Savings from the Parish Caretaker budget will be used to part fund this as Kirkby in Bloom have agreed to take over the responsibility for litter picking in Kirkby Malzeard village.

10. THE PINFOLD, KIRKBY MALZEARD – There is no mains water supply to the allotment within the Pinfold and, as owners, the Council agreed to pay for the cost (£122.15 exc VAT) of obtaining a feasibility study and quotation from Yorkshire Water, as requested by the tenant, Mr Paul Johnson. Mr Johnson has recently undertaken maintenance work to the path and gate himself which has reduced Council expenditure. Unless the installation costs were relatively small these would however have to be raised from commuted sums or other external grant sources. The Pinfold has been registered with Harrogate council for commuted sums but allocation of funds is unlikely to be immediate.

11. PLANNING – recent decisions made by Harrogate Borough Council

(a) 16/04994/DVCON: THE HAVEN, LAVERTON ROAD, KIRKBY MALZEARD – variation of

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Condition 2 (Approved Plans) of permission 15/05350/FUL for substitution of approved plan details for revised details – Fillingham – permitted.

- (b) 16/05235/FUL: LAND OFF CHURCH BANK, KIRKBY MALZEARD – installation of replacement arena and formation of access track from field to the stable/farmyard - Hurford – permitted.
- (c) 16/04602/FUL: BAGWITH HOUSE, RINGBECK ROAD, KIRKBY MALZEARD – erection of single storey extension and conversion of domestic stores to form additional living accommodation – Avison – permitted.

12. PLANNING – new applications to be considered:

- (a) 17/00389/FUL – MOSSIE MIRE HOUSE, LAVERTON. – Demolition of lean-to building and 2 porches, erection of 2 porches and single storey extension, alterations to fenestrations and ridge height to single storey extension. – Cox – The parish council had no objections.
- (b) 17/00349/FUL – SOUTH VIEW, MAIN STREET, KIRKBY MALZEARD. – Conversion of outbuildings to form a holiday cottage, and installation of flue for heating boiler and a chimney flue for a wood-burning stove. – Robinson – The parish council had no objections, subject to issues raised previously by the Planning Officer, regarding fencing, parking and the flue-pipe, being resolved satisfactorily.

A third application, which was received after the publication of the agenda, was also considered:

- (c) 16/05362/LB – ROSE COTTAGE, MAIN STREET, KIRKBY MALZEARD – Listed building application for installation of one roof light in rear elevation – Watts.

The decision on this will be deferred until March 9 to allow for full consideration by Councillors and for members of the public to bring to the attention of the Council any comments they may have.

Councillors also noted the following application being of a type on which they are not normally asked to comment:

- (d) 17/00663/DISCON – IVY COTTAGE, MAIN STREET, KIRKBY MALZEARD – Application for approval of details required under condition 3 (materials) of permission 13/00657/FUL – erection of detached dwelling – Wensley.

13. HIGHWAY ISSUES – the current list of cases referred to NYCC Highways department, together with their responses, was reviewed:

KM 17/001 – Stone in carriageway between Castiles and Skelding, Dallowgill – stone now removed.
KM 17/002 – Give Way sign at Belford Lane/ Dallowgill Road junction, Dallowgill – sign now erected – road markings will be repainted shortly.

KM 17/003 – Cut back hedge in front of Old Chapel, Laverton to make direction sign visible – further enquiries to be made to establish name of owners so that letter requesting action can be sent.

KM 17/004 – Remove obsolete posts in front of Low Ray Carr, Dallowgill – Highways have no plans to remove these – decision accepted.

KM 17/005 - Direction sign from Kirkby Moor Road to Carlsmoor, Dallowgill – Harrogate Council dealing with this matter – ref 196182 – and they are investigating this further.

KM 17/006 – Reflectors requested to newly replaced timber barrier near Olive House, Missies Lane, Laverton – to be fitted shortly.

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KM 17/007 – Warning signs requested near cemetery, Galphay Road, Kirkby Malzeard – Highways do not think signs are necessary as visibility splays are considered adequate.

KM 17/008 – Back Lane North, Kirkby Malzeard – some pothole repairs have recently been carried out. Condition will be monitored and further pothole repairs requested if necessary.

KM 17/009 – Direction sign from Laverton Road to Kirkby Moor Road, Kirkby Malzeard – new sign to be erected shortly.

KM 17/010 – section of road near Swetton cattle grid, Dallowgill in poor condition – some repairs recently undertaken.

KM 17/011 – request for additional direction sign (when approaching from west) from Main Street to the Playing Fields, Kirkby Malzeard – responsibility of Highside Playing Field Association who have indicated they have no funds to provide sign.

KM 17/012 – Road south of Laverton bridge – Highways have no plans to resurface but some recent pothole repairs undertaken.

KM 17/013 – Deterioration to road surface, flooding and damaged fence to corner of Long Swales Lane, Kirkby Malzeard – gully recently emptied and order for fencing repairs now placed by Highways.

KM 17/014 – Request for information as to where One Way section of Back Lane South Kirkby Malzeard commences – District/County Cllr Atkinson previously indicated that it starts immediately west of ‘Coverdale’. Confirmed by Highways – signage review to be carried out.

KM 17/015 – deterioration of pavement at High Walk, Kirkby Malzeard – considered not urgent by Highways – parish council will continue to request work.

KM 17/016 – request for sewer under road at junction of The Green and Main Street, Kirkby Malzeard to be cleaned out – Highways indicated that this was the responsibility of Yorkshire Water – site meeting arranged with Parish Council and Yorkshire Water on March 3.

KM 17/017 – Manhole covers on Main Street, Kirkby Malzeard – two covers repaired on February 16.

KM 17/018 – Road south of Laverton village – Missing ‘Sharp Bend’ sign – replacement sign to be fitted shortly.

KM 17/019 – Pavement defects, Main Street, Kirkby Malzeard – some work undertaken following request but others still need attention e.g. near ‘Bonwell’. Highways will be asked to undertake repairs.

NEW REQUESTS

KM 17/020 – Gully on Church Bank, Kirkby Malzeard – Highways will be asked to clean this out.

KM 17/021 – Dallowgill – the blocked ditch and culvert on the eastern side of the road between Greygarth and Tom Corner need cleaning out – referred to Highways for attention.

KM 17/022 – Thieves Gill, Azerley – this is not within our Parish but cleaning out of gully on bend opposite junction to Mickley requested as this is a serious hazard after heavy rain for many vehicles going to and from the Kirkby Malzeard area.

KM 17/023 – Culvert on south side of Missies Lane, Laverton blocked between Highways yard and Olive House – needs rodding/unblocking.

KM 17/024 – Main Street, Kirkby Malzeard – the road in front of Twig House is very uneven following service works – Highways to be asked if this could be made level.

14. POST VAN SERVICE – In recent weeks the van did not arrive as scheduled and whilst it is believed that there were genuine reasons for this, the Parish Council have written, phoned and Cllr Jackson has called in person, to the Post Office in Ripon to ensure that in the future, communication is sent so that a notice informing the public that the van will not be coming can be placed on the door of the Mechanics Institute. This will be closely monitored.

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15. PUBLIC RIGHTS OF WAY CONSULTATION – North Yorkshire County Council intend to categorise bridleways and footpaths to determine which are the most important so that funding can be prioritised on these, rather than on ones which are not regularly used. The Parish Council agreed with this approach and will assist with the process of categorisation within the parish later in the year if requested to do so.

16. NEW CLERK – There has been a good response to advertising for a new Clerk with three applications so far. A closing date for applications of March 10 was agreed with candidates being interviewed the following week.

17. CORRESPONDENCE

a) E-mail from Harrogate Council confirming that the possible breach of planning control in respect of an agricultural building at Swetton, Dallowgill has now been investigated and the building is to be removed shortly.

b) E-mail from Harrogate Council stating that they have no grounds to proceed with any planning enforcement in respect of the Old School/Outdoor Centre as a consequence of its condition. It was agreed to contact Vinci Facilities who act for the owners Mexborough School to ascertain their intentions for the property.

c) North Close Farm, Kirkby Malzeard – Letter from Harrogate Council indicating that they have been asked to investigate a planning issue.

d) E-mail from ‘Defibrillators for Ripon’ - they confirm that as Kirkby Malzeard has two defibrillators it is unlikely that there will be any funding for a third.

e) E-mail from North Yorkshire Youth offering support for voluntary youth projects – this information is available for any such groups with details posted on the Parish Council website and on the Kirkby Malzeard Area Guide website.

f) Letter from Toby DeChair regarding Highways issues, which were added to the list sent to the Highways department (see item 13), and Love Lane.

18. PARISH COUNCIL NOTICEBOARDS

(a) Kirkby Malzeard – the new display equipment in the snooker room window of the Mechanics Institute is now in use and DTMS have been asked to remove the old board. John Collins was thanked for installing the new display.

(b) Laverton – The council approved the provision of new posts at a cost of £57 each together with an estimate of £210 (exc VAT) for removing the old board and posts, installing new posts and fitting the new noticeboard. Total cost of project will be £789 once VAT has been claimed back.

19. TREES on Parish Council owned Common Land at Lamberts Quarry.

The council has now heard back from all neighbouring owners and will proceed with obtaining three estimates for the necessary work here, and at Laverton Quarry.

20. COMMUTED SUMS

It was confirmed that a bench has now been sited opposite The Green at a cost of £338.74 (exc VAT) on behalf of Kirkby in Bloom. This was offset by a commuted sums contribution of £298.60 leaving a shortfall of £40.14 which be met by Kirkby in Bloom funds.

21. WASTE BIN

It was agreed to ask Harrogate Council to move the litter bin on Ripon Road (opposite Mowbray Hall) to alongside the existing bin outside Kirkby Stores, where it is hoped it will be more regularly

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used.

22. PARISH COUNCIL DOCUMENTS

A revised Standing Orders document and a new Financial Regulations document were considered. Proposed by Cllr Mountain that these be adopted - seconded by Cllr Hurford. It was approved by all other Councillors.

23. FINANCIAL ITEMS

(a) Bank Statements –The balance of the Current Account as at 19 February 2017 was £12,159.25. The balance of the investment account remains at £2852.38.

(b) Payment of invoice for £406.49 inc. VAT from The Walled Garden for work to bench (item 20) approved.

(c) Reimbursement of sum of £137.84 inc. VAT for Microsoft Office and toner for PC laptop to Acting Clerk approved. Balance of money from Transparency Code grant used, with £46.73 of this grant remaining.

(d) Renewal of annual CPRE membership at a cost of £36 approved.

(e) Payment of £20 to Kirkby Malzeard Methodist Chapel for hall hire for tonight's meeting approved.

24. PARISH CARETAKERS (DTMS Ltd)

A new rate of £16 per hour exc. VAT for items on the monthly task list was approved, being only a minor increase from £15.75 last year. The contract is on the basis of four hours per month and the Clerk was asked to ascertain amount of hours currently in hand. A number of quotes for one-off jobs had been obtained with approval given to proceed with the removal of the old noticeboard on the Mechanics Institute and the installation of the new noticeboard at Laverton (item 18). Quotes for digging out the ditch at Laverton Quarry and upgrading the bridleway at Lamberts Quarry were much higher than expected and alternative quotes will be obtained.

25. COMMUNITY LED HOUSING

Cllr Hurford gave a brief update. The meeting, which was arranged for 16th March, to introduce the scheme to the community has now been delayed. On that date there will instead be a visit to a scheme in the North East (Stocksfield), so that first-hand knowledge can be gained. One more place is available if anyone wishes to attend. A full report will be given after the event.

26. EMERGENCY ARRANGEMENTS FOR THE PARISH

Cllr Mountain reported that eleven people had volunteered to join the committee and that these represented all the main local organisations and potential rest centres. An additional member to represent Laverton Village is needed and anyone from Laverton who is interested should contact the Council. We are awaiting information from the Emergency Planning Manager at Harrogate Council as to the next steps which need to be taken.

27. KIRKBY MALZEARD CHARITABLE TRUST

Cllr Lobley who is the Laverton/Dallowgill Parish Council representative reported on the work of this Trust over the last year. The Financial Statement was considered and this together with the Minutes of the AGM will be retained on file. The Council was surprised to learn that the Kirkby Malzeard Parish Council representative is Mr Trevor Bowen and Cllr Hurford is to contact him to discuss his role.

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28. ANY OTHER BUSINESS

The Council was asked by a member of the public to obtain some of the new dog-poo posters designed by Isla Freeman from Ripon, in order to persuade dog owners in Kirkby Malzeard to clean up after their dogs. The Clerk will try and obtain some as soon as possible and arrange for distribution around the villages.

29. NEXT MEETING – Monday March 27 at 7.15 pm in the normal venue of the Annex room of the Mechanics Institute, Kirkby Malzeard. Items for the Agenda from the public to be submitted to the Clerk by March 17th please.

There being no further business the meeting closed at 9.45 pm.

Howard Mountain

Acting Clerk to the Parish Council

Dated Monday March 6, 2017

THIS DOCUMENT IS AVAILABLE ON THE PARISH COUNCIL WEBSITE – IT WILL BE PRINTED IN A LARGER FONT ONCE THE NEW NOTICE-BOARD IS AVAILABLE.

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