

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING held in The Main Hall, The Mechanics Institute, Kirkby Malzeard on 30 April 2018 The meeting commenced at 7.30pm

Present: Councillors Howard Mountain (Chairman), Geoff Lobley (Vice-Chairman), John Peacock, Ruth Broadley, Gerry Mass and Gwynneth Jackson, with Jen Hurford (Clerk), and 12 members of the public.

1. Welcome and apologies for absence.

The Chairman welcomed everyone to the meeting and noted apologies from District/County Cllr Margaret Atkinson. The Chairman confirmed that this was the final meeting of the current Parish Council and offered sincere thanks to Cllrs Jackson, Mass and Peacock (who will not be part of the next Parish Council) for the time and effort they had given whilst in office. Cllr Jackson has at various times been Chair and Vice-Chair and has served the community for many years, and the tremendous contribution she has made should be acknowledged.

2. Declarations of Disclosable Pecuniary Interest, Other Interests and Close Associations.

The Chairman asked for clarification from the HJCC representative in relation to item 5a as to whether they considered that if the Henry Jenkins were ever to reopen, this would adversely affect the Mechanics Institute and, as in their view it would not, it was decided that Cllrs Mass and Jackson need not declare an Interest and could therefore take part in the discussion and vote. No declarations were made in respect of other items.

3. Approve the Minutes of the previous Parish Council meetings held on 26th March 2018 and 16th April 2018.

The minutes of the Council meeting on March 26th were confirmed as an accurate account of the meeting. Proposed by Cllr Mass, seconded by Cllr Jackson and signed by the Chairman. The minutes of the Interim Council meeting on April 16th were confirmed as an accurate account of the meeting. Proposed by Cllr Broadley, seconded by Cllr Lobley and signed by the Chairman.

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

a) TPO 7/2018 – Land Comprising Field at 422819 474158, Back Lane, Kirkby Malzeard – Notice of Confirmation that HBC has on the 29 March 2018 confirmed without modification the Tree Preservation Order made on the 9 February 2018. **Action – Chairman to request an update from HBC in respect of the progress of application 17/04308/OUTMAJ (residential development off Laverton Road) to which this TPO refers.**

b) 18/00215/FUL – Holly Tree House, Main Street, Kirkby Malzeard – Erection of single storey extension, loft conversion and installation of roof-lights – Approved.

c) TPO 18/2018 – Wensleydale Dairy Products, Ripon Road, Kirkby Malzeard - Notice of Confirmation that HBC has on the 24 April 2018 confirmed without modification the Tree Preservation Order made on the 16 March 2018.

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

a) 18/01087/FUL – The Henry Jenkins, Main Street, Kirkby Malzeard - conversion of part of public house and flat to create one dwelling. – Claybourn.

Before considering the application, a general discussion took place involving the applicant, the neighbouring property owner, a Henry Jenkins Community Co-op representative and various members of the public. It was agreed that everyone wished to see a speedy resolution to the future of the former Henry Jenkins Inn as a whole, that the majority of people wished to see the original frontage retained, that this section of the overall building had only been used as part of the public house since 1971 having previously been a joiner's shop, and that if the building were not to be re-opened as a public house, then redevelopment with housing was the best alternative.

Clarification was then sought by the Council as to how HJCC now proposed to acquire the property following the sale of this section (and, it is understood, the possible sale of a further section to another party) given that the owner of the remainder had publicly stated that he would not sell that section to them under any circumstances. The HJCC representative indicated that they still hoped to achieve a sale from the various owners or failing that they would ask HBC to use Compulsory Purchase Powers, although it is known that these are rarely utilised in practice. It was also established that no revised business plan is available as this would necessarily be dependent on acquisition costs but it was suggested by a member of the public that actual renovation costs are likely to be much higher than sums previously stated by HJCC. HJCC had recently made the findings so far obtained from their Opinion Survey available to the Council in order that the view of residents on their proposals could be known. Forms had only been returned from approximately half the properties in the Parish at this stage although out of those 228 (which excluded those without names on etc.) 185 indicated support for re-opening. The Council felt that it was regrettable that the Survey had not been completed by now so that a complete picture could have been available but noted the significant number supporting their proposals in principle, so far. Other matters were then covered including concerns that only one house was to be provided in this section when the priority was for smaller housing for younger people, that the plans provided very little detail but appeared to show that there would not be a front entrance to the house, that provision had been made to allow for entrance to the remainder of the original property from Back Lane and that the Council still had serious concerns about the impact that commercial redevelopment of the building as a whole might have on traffic and parking on Main Street.

Following the conclusion of the discussion the Council considered its decision and agreed not to object to or support the application but express concerns and make comments in line with the relevant points referred to above. **Action – Chairman to submit response to HBC.**

- b) 18/01600/OUT – The Grange, Back Lane South, Kirkby Malzeard – outline application for the erection of 5 dwellings with access considered – Thompson.

Although this was described as a revised scheme there were no amendments to the aspects to which the Council objected previously (17/04495/OUT), being principally the inadequacy of Back Lane for access to and from the site, and so the Council agreed to object on the same grounds as outlined before. **Action – Clerk to submit response to HBC.**

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

- a) Dallowgill noticeboard – the Council is exploring other possible locations as the board is proving susceptible to rain and wind damage. **Action – Chairman and Cllr Lobley to investigate further.**
- b) Highways Yard, Laverton – rent paid by NYCC to Masham Parish Council in error. Cheque forwarding monies awaited following their monthly meeting on 14th May.
- c) Consider any further response from NYCC on Woodhouse Bogs, Winksley – response still awaited. **Action – Chairman to again request update from NYCC.**

7. Correspondence

- a) HBC Parish Consultation meeting on Thursday 28 June 2018 at 6.00 pm at Darley Memorial Hall, Sheepcote Lane, Darley. Cllrs to prepare questions to collate at the next meeting and decide which two representatives will attend.
- b) NYCC letter regarding Parish Council Archives, requesting participation in survey. Following discussion agreed to inform Dallowgill History Group aware of request. **Action – Clerk to contact.**
- c) Highways Dept. – Parish Council workshops in May to discuss Parish Portal. Agreed Chairman and Clerk to attend and report back.
- d) HBC Local Fund – notification of funding available for Harrogate District launched on Tuesday 3rd April and now accepting applications from small charities and community groups in the Harrogate District for grants of up to £3,000 until the 4th June 2018. Agreed that local organisations need to be made aware of opportunity. **Action – Clerk to publicise on Facebook and contact local organisations.**
- e) Community First Yorkshire Conference on Thursday 17th May 9am to 5pm at The Priory Centre, York. Opportunity for voluntary and community sectors to develop survival strategies and seize opportunities to succeed. **Action – Clerk to advise no Councillors will be attending.**
- f) Glawning provided notification of Glampfest, a charity festival, to be held at Ivy Bank, Galphay Road on 18 to 20 May, with offer of reduced entry for Kirkby Malzeard residents. **Action – Clerk to circulate on Facebook.**

- g) NYCC notification of road closure to Ringbeck Road 14th to 16th May.
- h) HBC notification of special grants and interest free loans available for home efficiency measures to tackle fuel poverty. **Action – Clerk to publicise on Facebook.**

8 Annual Parish Meeting Exhibition and Defibrillator Awareness Session on April 21 – reviewed and concluded that event was well attended and that the Annual Parish Meeting Reports brochures were a better means of promoting local organisations and amenities than verbal reports at Parish meeting.

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

- a) Update from residents committee on any items relevant to the Council – No request for additional funding at this stage.
- b) Approve Insurance arrangements for general activities surrounding event being the responsibility of the Council – Confirmation received from insurers that no additional premium required. Agreed that risk assessments should be completed by the T de Y residents committee.

10. Footpaths –

- a) Arrowfield, Main Street, Kirkby Malzeard – Confirmation that the Definitive Map Modification Order application has been signed and will be delivered to NYCC and the owners next week. **Action – Chairman to deliver.**
- b) Back Lane to Ringbeck river – Signs still awaited from HBC along with confirmation of responsibility for emptying bin if provided by this Council. Permission received from one landowner to erect signs/bin and awaited from second landowner. **Action – Clerk to chase responses.**

11. Parish Council Elections – following the Uncontested Elections confirmation that Howard Mountain and Geoff Lobley will represent Laverton/Dallowgill Parish and that Ruth Broadley and Jane Aksut will represent Kirkby Malzeard Parish. Election Officer has advised that after 3rd May the Council can advertise for three more Councillors to fill vacancies on Kirkby Malzeard Parish Council. Existing Cllrs to also approach possible candidates not only in Kirkby Malzeard Parish but also anyone within a 3mile radius as they would also be eligible. **Action – Chairman and Clerk to publicise on notice-boards, websites and facebook.**

12. Inspection of Council Property Assets

- a) Reports from Councillors and Clerk on condition of assets - The Clerk confirmed inspection of the Pinfold on 28th April and Market Cross on 30th April with no untoward observations to report, as did the Cllr Lobley of Greygarth Monument on 30th April.
- b) Progress report on provision of Caution sign for Greygarth Monument – still to be fitted. **Action – Cllr Lobley to attend to this.**

13. Children's Play Area

- a) Consider latest monthly report from DTMS – Notified of need for grass seeding to some areas when weather permits.
- b) Progress report on transfer of Play Area lease from HPFA to Parish Council – Still no progress to report due to inaction by HBC Legal Department. **Action – Chairman to request speedy resolution.**

14. Highways Issues - update on items previously reported; signage at Laverton Bridge still requires attention; potholes on the Laverton to Galphay Road are worsening with threat from local bus service that it will suspend route; worsening of potholes on Longswales Lane; residents have reported vibration damage to properties on Main Street from uneven road surface which has been reported previously and did not meet repair criteria. **Action – Clerk to again report potholes and video large vehicles bouncing on uneven surface on Main Street to provide further evidence of problem.**

Update on request for salt bins to use on icy paths - Chairman reported that HBC had confirmed grit boxes hold 200kg of salt and are of a green compact nature but in practical terms so many would be needed to cover all areas that providing these was not considered feasible. **Action – Chairman to report back to resident whom requested bins.**

New items to be raised with NYCC, from Councillors and public – no items reported.

15. DTMS Task List – report on work carried out by Parish Caretakers, with new items to be added to their task list. Confirmed Snowberry bushes near Market Cross junction now cut back. No new items to be requested.

16. Data Protection – Clerk notified that an amendment has been tabled in Parliament to exempt Parish Councils from the requirement of appointing a Data Protection Officer, but if not passed by June meeting, a DPO service will have to be chosen. Currently HBC are offering this at £375pa and YLCA's offer is awaited. Template documents to be drafted for approval in order to fulfill requirements to legislation to be introduced in May. **Action – Clerk to draw up required documents.**

17. Annual Governance and Accountability Statements for 2017-18 – approval of documents produced by Clerk for internal auditor:

- a) End of Year Receipts – Proposed by Cllr Mass, seconded by Cllr Lobley.
- b) End of Year Payments – Proposed by Cllr Broadley, seconded by Cllr Jackson.
- c) Bank Reconciliation – Proposed by Cllr Mass, seconded by Cllr Peacock.

- d) Cash Book – Proposed by Cllr Lobley, seconded by Cllr Broadley.
- e) Annual comparison of income and expenditure to budget – Proposed by Cllr Jackson, seconded by Cllr Mass.
- f) Draft Accounting Statements (to be formally approved at Annual Parish Council meeting) – Circulated.
- g) Asset Register as at 31 March 2018 – Proposed by Cllr Mountain, seconded by Cllr Broadley.
- h) Risk Assessment document – circulated for approval at Annual Parish Council meeting.
- i) Annual Governance Statement – Proposed by Cllr Peacock, seconded by Cllr Broadley. Chairman and Clerk signed.

18. Financial items:

- a) Bank statements – details of balances, outgoings and income since last month circulated and noted.
- b) Cash Book – up to date record of payments and receipts circulated and noted.
- c) Bank signatories – Clerk reported that HSBC had clarified that the mandate signed at 16th April by Chairman and Cllr Lobley would replace rather than add to existing signatories, and therefore the Chairman proposed, and Cllr Jackson seconded, that Cllr Broadley and the incoming Cllr Jane Aksut should also submit signatures to allow authority. **Action – Clerk to deliver mandate to bank.**
- d) Payment to DTMS Limited for £115.20 for caretaker duties in March and April approved. Proposed by Cllr Mass and seconded by Cllr Lobley.
- e) Payment to DTMS Limited for £105.60 for playground inspections in March and April, including fitting of two toddler swings approved. Proposed by Chairman and seconded by Cllr Broadley.
- f) Payment to D3 Office Group for £23.69 for stationery approved. Proposed by Cllr Mass and seconded by Cllr Lobley.
- g) Payment to Yorkshire Local Councils Associations for £22.50 for 50% of GDPR Training Course approved. Proposed by Cllr Peacock and seconded by Cllr Broadley.
- h) Payment to Clerk for £19.74 for reimbursement of stationery and stamps approved. Proposed by Cllr Mass and seconded by Cllr Jackson.
- i) Payment to Beyond Digital for £64 for printing leaflets (from T de Y grant) approved. Proposed Cllr Jackson and seconded by Cllr Peacock.
- j) Payment to Beyond Digital for £76 for printing Exhibition / Defibrillator training session leaflets approved. Proposed by Cllr Jackson and seconded by Cllr Mass.
- k) Payment to Beyond Digital for £138 for printing Annual Parish Meeting Reports booklets approved. Proposed by Cllr Lobley and seconded by Cllr Jackson.
- l) Amounts to purchase a laminator at £15.99 for a ‘Fellowes A4 Laminator’ or £29.99 for a ‘Leitz A4 Laminator’ considered. Accompanying pouches available at £7.99 for ‘Fellowes

100 Pack', or £15.99 for 'Leitz 100 Pack'. Following a discussion it was agreed for Clerk to purchase pouches and to use the Mechanics Institute's laminator when required in the future. **Action – Cllr Mass to confirm with MIVH.**

- m) Budget to purchase printer at with a number of HP printers available from £29.99 to £149.99 considered and following discussion, agreed for Clerk to purchase cheaper replica cartridges, and then review.
- n) Estimate from DTMS for £710 for repairs to tarmac under the junior multiplay at the playground considered and agreed a second estimate should be obtained. **Action – Clerk to request from Streetscape.**

19 Any Other Business

- a) Cllr Jackson confirmed new tarmac at the Market Cross now laid and commented on the improvement which it had made.
- b) The Chairman indicated the phone boxes still require attention to paintwork as agreed by BT last year. **Action – Chairman to request works be completed as soon as possible.**

20. Date of next meeting: The **Annual Parish Council Meeting** will be held on Monday 21 May 2018 at 7.15pm in the annex room of the Mechanics Institute, Kirkby Malzeard. The **regular monthly Meeting of the Parish Council** will follow this meeting and will commence no earlier than 7.30pm. Any items to go on the Agenda for the monthly Council meeting should be submitted to the Clerk by 15 May 2018 please.

The Meeting Closed at 9:35pm

Dated 08/05/2018

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

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