

# **KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL**

## **MINUTES OF THE PARISH COUNCIL MEETING**

**on Monday 24<sup>th</sup> February 2020 held in the Annex Room of the Mechanics Institute, Kirkby Malzeard**

The meeting commenced at 7.15pm. Present: Councillors Howard Mountain (Chair), Geoff Lobley (Vice-Chair), Geoffrey Berry, Jane Aksut, Peter Saxon, Pippa Manson, Alan Brownlee with District Cllr Nigel Simms, and 13 members of the public.

### **AGENDA**

#### **1. Welcome. Apologies for absence – approve reason why unable to attend.**

All Parish Councillors present. Apologies received from County Cllr Margaret Atkinson

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

- a) Cllr Aksut declared a 'Close Association' in relation to items 15d, 15f and 19 and a 'Disclosable Pecuniary Interest' in relation to item 9a.
- b) Cllr Manson declared a 'Close Association' in relation to item 15c and a 'Disclosable Pecuniary Interest' in relation to item 9a.
- c) Cllr Brownlee declared a 'Close Association' in relation to item 15f.
- d) Cllr Saxon declared a 'Close Association' in relation to item 15d and a 'Disclosable Pecuniary Interest' in relation to item 9a.
- e) The Chair declared a 'Close Association' in relation to item 22c and a 'Disclosable Pecuniary Interest' in relation to item 10d.

Cllrs Aksut and Manson requested a Dispensation to allow them to participate in the discussion and vote in relation to item 9a. The Dispensations were requested to last until the end of the Parish Council term for any agenda item connected to the Henry Jenkins Inn. The Dispensations were approved.

The meeting was notified that a member of the public was recording the proceedings.

#### **3. Approve the Minutes of the Parish Council meeting held on 27<sup>th</sup> January 2020.**

The minutes were approved as a true record and were signed as such by the Chair.

**4. Clerk** – Victoria Preston was formally appointed as Clerk and RFO following a successful three month Probationary period. Cllr Berry confirmed that the clerk wages were now up to date with HMRC. **Action: Clerk will to take over the subscription payment for the printer ink.**

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

a) Adoption of payphone kiosks – Cllr Aksut reported that an electrician had inspected the light fitting in the Kirkby Malzeard kiosk. Whilst this appeared satisfactory, the spur units could not be inspected being boxed in. In the unlikely event that they did need replacing, it would cost approximately £120. This level of expenditure was provisionally approved by the Council should it be necessary. No further progress so far on the Laverton phone box. It was noted that once adopted the kiosks will need adding to the asset register and the insurance schedule. **Action: Cllr Aksut to provide an invoice so that a cheque can be raised for the £1 purchase fee.**

b) Village verges – Kirkby in Bloom have kindly agreed to take responsibility for managing the wild flower area on behalf of the Council using volunteers from the village. **Action Cllr Manson to liaise with Kirkby in Bloom.**

**6. Correspondence** – Clerk to raise any relevant items (not dealt with elsewhere on the agenda) for consideration and response:

a) Great British Spring Clean – Cllr Manson indicated that Kirkby in Bloom are organising a scarifying morning in the wild flower areas and will arrange a village tidy to take place before the VE day celebrations.

b) HBC – Bulbs/Wildflower Scheme – Agreed to register to receive the bulbs and wildflower seeds later in the year. **Action: Cllr Manson to register on behalf of the Council**

c) HBC – Garden waste subscriptions 2020 – Waste subscription is now open. **Action. Cllr Aksut to publicise on the community website.**

d) Church Commissioners – Decision approving the conversion of St Peters, Dallowgill to a Children's Day Nursery noted. The Council will monitor aspects such as parking but are pleased to see an empty building being brought back into use and hope the business will be successful.

e) Neighborhood Policing Team – Only 1 incident reported in Parish in last 3 months. **Action: Cllr Berry has registered on the community policing website, and agreed to keep the Parish Council updated on any issues arising.**

**7. County and District Matters** – District Cllr Simms confirmed that the Local Plan had now been approved and that it is expected be adopted at the next council meeting.

**8. Planning – notification of recent Decisions made by Harrogate Borough Council:**

a) 19/04995/FUL and 19/04996/LB– Churchby House, Church Street Kirkby Malzeard – Erection of metal porch canopy to rear door and extension/conversion of outbuildings of ancillary accommodation – Rogers. Permitted.

b) 19/05061/FUL – Bramble Cottage, Kirkby Moor Road, Kirkby Malzeard – Alterations to roof pitch, Alterations to fenestration – Lonie. Permitted.

c) 19/04698/FUL – Missies Farm, Laverton, Ripon – Conversion of 2 barns to form 2 dwellings and installation of package treatment plant – Verity. Permitted.

d) 19/05195/FUL – Tailors House, Main Street, Kirkby Malzeard – Erection of single storey extension and porch – Johnson. Permitted.

**9. Planning – recent Appeals referred to the Planning Inspectorate. The Parish Council will consider whether to make a representation on the following case:**

- a) 19/00089/NREFPP – Henry Jenkins Inn, Main Street Kirkby Malzeard – Conversion of part of a public house and flat to create 1 no. dwelling (Resubmission) –Claybourn.

It was agreed that a Representation to the Planning Inspectorate should be made as some of the comments by the Council in the response to the original application in August 2018 required updating. It was also considered appropriate to refer to the progress of the HJCP Ltd Share Pledge scheme, which had commenced since the date of the original application and any other more recent matters that may be relevant. As the Council had not been provided with the full data on the Public Opinion Survey in 2018 (referred to in the original response) this was requested from HJCP Ltd, in order that accurate figures could be referred to, together with information to enable the validation of the Share Pledge Scheme figures, so that the Planning Inspectorate could rely on these, if they wished to have regard to the level of support within the Parish for the re-opening of the whole building as a Public House, being an alternative use to that applied for within this application/appeal. The Chair of HJCP Ltd agreed to provide this information.

In light of this it was decided that the Parish Council will hold an ‘extraordinary’ meeting on Monday 2<sup>nd</sup> March so that it can review the new information and validate it before submitting a Representation to the Planning Inspectorate. It was noted that HJCP Ltd are to make an increased bid prior to the Appeal date. The owners of the two sections of the original building confirmed that the asking prices are presently £250,000 for the Eastern Annexe and £230,000 for the Western section. **Action: Clerk to arrange Extra-ordinary meeting.**

A recent fact finding visit by some Councillors to Church Fenton was also briefly discussed. Church Fenton Parish Council have taken out a Public Works Loan Board loan to buy the community shop and pub. **Action: Cllr Aksut to seek further information on PWLB loans. Clerk to place item on agenda for the next Ordinary meeting.**

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

- a) 20/00303/FUL – Manchester House, Grantley – Erection of detached car port – Parry. Decision A – No Objections  
b) 20/00343/FUL – Sunnyside, Main Street, Kirkby Malzeard – Demolition of greenhouse and erection of replacement timber framed greenhouse – Burgess. Decision A – No Objections  
c) 20/00341/FUL –Low Ray Carr, Dallowgill - Demolition of conservatory and erection of replacement single storey extension -Warne. Decision A – No Objections

d) 20/00319/FUL – Carter Syke Farm, Laverton – Demolition of existing agricultural barns; Conversion of barn to form ancillary living; Erection of detached garage and stables – Ward. Decision A – No Objections. (This item was Chaired by Cllr Lobley).

**11. Planning – notification of recent applications made to Harrogate Borough Council where response not requested from Parish Council:**

None.

**12. Planning - Neighbourhood Plan**

a) Report on Steering Group meeting February 10 2020. The Public consultation document had been finalised, subject to approval from HBC. Cllr Saxon has designed a flyer to be sent to the public to provide information about the Public Consultation in advance of distribution.

b) Draft logo for the NP was circulated and approved. It was suggested that the logo might also be adapted for use by the Parish Council.

c) Consider and approve estimates. Estimates of £48 (Dalesgate) and £49 (Beyond Digital) received for the printing of the flyer. Council agreed to use Beyond Digital as they had been reliable previously. The Council also provisionally agreed to a cost in the region of £200 for designing of the consultation document.

**13. Planning – Enforcement issues.** Consider any possible breaches of planning consents, conditions or regulations currently existing within the Parish. Any matters raised by Councillors or Public will be referred to the Planning Enforcement Office at HBC for consideration.

No issues to consider.

**14. Ivy Bank Campsite, Galphay Road, Kirkby Malzeard.** After concern was raised by residents about the consultation process by Freedom Camping Club prior to the site use being intensified, the Council wrote to FCC, who had responded that there was no statutory requirement for them to consult any party. The Council also wrote to Natural England, who suggested that although there was no statutory requirement, there should be a system in place to consult local parties. It was not felt that any further progress could be made on the consultation aspect in the light of this.

The Chair met with the owner of Ivy Bank and it was agreed that he would not cut the hedges and would also plant some trees between the camp site and St Andrews Meadows, to try and alleviate any noise issue. The Council will also meet with Glampfest organisers, on site, prior to the festival, to see if the positioning of the stage can help with the noise problem. Environment Health have sent a 'noise nuisance pack', which will be shared with the local residents. **Action: Informal monitoring of the situation will be carried out.**

**15. Local Organisation grants 2019-20** – Council to consider applications and approve allocation of grants from the 2019-2020 fund pool.

- a) Mechanics Institute requested a total of £2750 to cover the cost of two new front doors.
- b) Highside Playing Field Association requested a total of £3000 to spend on Additional storage, Mower repairs and Roof repairs.
- c) Kirkby in Bloom requested £1105 for Bus shelter enhancements, to develop the wild flower areas, weed spraying in the village, village tubs and troughs and public liability insurance.
- d) Kirkby Malzeard Youth Club requested £600 to purchase new equipment and fund swimming trips.
- e) Kirkby Malzeard Pre-School requested £1200 for redecorating and for new blinds and curtains. The Council felt that further information regarding income and reserves was necessary, together with an explanation of the difference in rent charges in the last 2 years.
- f) Friends of Kirkby Malzeard School requested £700 to purchase a cooker and fridge to help with fundraising. The Council felt that more detailed accounts for the last 2 years are needed, together with confirmation that the School approve the location of the cooker and fridge within the School.

All organisations were approved as suitable causes for grants. However, as the council requires further information regarding some of the applications, the decision on grant amounts to be allocated will be deferred to the meeting on the 30<sup>th</sup> March. Cllr Saxon suggested that prior to this all Councillors with Interests request a Dispensation so that they can take part in the discussion and vote for all applications.

#### **16. Tour de Yorkshire & VE Day 75 Celebrations –**

- a) It was noted that some local groups such as the Church are planning events to take place on the weekend of the Tour de Yorkshire.
- b) Cllr Brownlee will hold a meeting with local residents on 26<sup>th</sup> February to discuss and plan the VE day celebrations that will take place on the bank holiday weekend of 8<sup>th</sup>-10<sup>th</sup> May.

**17. Small business support** –Cllr Aksut has been in discussion with Totally Locally about how local businesses in the village can join forces with local businesses in Ripon to promote one another. Totally Locally have a campaign to encourage residents to spend £5 a week in local businesses. How's Business offer a pop-up consultancy to help and support business in working together and could also offer support and advice about the Henry Jenkins. **Action: Cllr Aksut to continue to look into ways to develop and support local businesses.**

**18. Kirkby Malzeard Area Community Association** – The Chair advised that Community Association Constitution has now been approved by the Mechanics Institute and is currently with the HPFA for approval. Cllr Saxon agreed to be added as a fourth Trustee.

## 19. Website (kirkbymalzeardarea.org.uk)

- a) The Community website, on to which the Parish Council website is to be fully transferred has been confirmed as compliant with the Public Sector Bodies Accessibility Regulations 2018 by the website manager VisioSoft. **Action: Chair to obtain approval of YLCA before the audit.**
- b) New GDPR statement on the website, approved by Clerk as Council Data Controller. All administrators to sign form to agree to following GDPR rules. **Action: Cllr Aksut to arrange.**
- c) It was confirmed that most Parish Council information has been transferred to the new website and from this point on this website address will be referred to in notices.

## 20. Traffic and parking issues.

- a) It was agreed to arrange for the data loggers to be installed for the week beginning 20<sup>th</sup> April 2020. **Action: Chair to liaise with NYCC.**
- b) It has been confirmed that a TRO is currently being arranged for a 30mph zone in Laverton which will hopefully come into force in the summer.

## 21. External meetings / training

- a) YLCA Harrogate Branch meeting at Boroughbridge – Cllr Berry was unable to attend.
- b) YLCA webinars – Councillors to confirm participation individually and notify the Clerk.
- c) HBC – County Lines training March 16 – Cllr Aksut to attend. **Action: Clerk to confirm if there are any costs associated with this training course.**

## 22. Council Property Assets

- a) Consider monthly reports on condition of assets from Councillors.

Asset	Inspected by	Date	Comment
Pinfold	Cllr Aksut	24.02.20	Some damage to pointing noted. <b>Action: Cllr Aksut to meet with Cllr Lobley to look at maintenance work required</b>
Market Cross	Cllr Berry	24.02.20	No urgent work required
Greygarth Monument	Cllr Lobley	24.02.20	No urgent work required
Lamberts Quarry	Cllr Mountain	24.02.20	No urgent work required
Laverton Quarry	Cllr Mountain	24.02.20	No urgent work required

It was agreed that from next month the Bus Shelter will be inspected by Cllr Berry on a monthly basis, rather than annually as part of other street furniture.

- b) Pinfold – It was agreed that the rent from June 2020 will remain at £130 for the next 12 months. The tenancy agreement will be reviewed at the end of the original 5 year term in June

2021 to incorporate an improved Rent Review clause. **Action: Chair to advise Tenant. Cllr Berry to investigate Model Documents to use as a basis of the new agreement.**

c) Approve use of Laverton Quarry Highways Yard for parking of vehicles on March 15 for a charity event. The Parish Council has no objection, but will await the approval from Highways before confirming with those organising the event.

### **23. Children's Play Area**

a) Latest monthly report from DTMS and weekly inspection by Chair show no urgent repairs.

b) Chair and Cllr Aksut to meet with local resident to discuss the programme of improvements on 5<sup>th</sup> March.

c) HMRC Land Transaction Return Form was approved and was signed by Cllr Lobley and the Chair. **Action: Chair to deliver with cheque for fees to Hutchinson and Buchanan (Solicitors).**

### **24. Highways Issues**

a) Update on existing cases. Verges adjacent to recent sewer repair on Main Street still awaiting attention – Yorkshire Water have been informed. Defects to road signs notified to Highways following washing have been actioned. Salt heaps to Kirkby Moor Road still awaited. Bishop Thornton crossroads in pipe-line for improvements.

b) Flooded sections of roads. Laverton 'lagoon' due for work in Spring. Gulley on adjacent corner still blocked despite attempt by resident to clean out – on Highways list but reminder needed. Various other sections have flooded recently due to extreme conditions – monitor to see if becoming a regular issue before reporting to Highways.

c) New items – road sign between Creets Bridge and North Close Farm needs re-erecting. Various branches leaning into road following heavy snow including on river bank in Laverton. Wall collapse on Back Lane North as well as wall on Church Bank where road currently closed. **Action: Clerk to advise Highways of new items and send reminders on existing cases where applicable.**

### **25. Footpaths**

a) Updates on issues including defective stiles, path diversions etc., raised previously with NYCC Paths Department, this has still not been inspected. **Action – Chair to contact NYCC**

b) Update on repairs to the fence alongside the road between Main Street and The Green – this has not yet been repaired. **Action: Clerk to contact HBC Parks Department.**

### **26. Litter/waste bins.**

a) Street Cleaning/waste bin provision/dog waste issues. Response from Liz Bailey from HBC considered unsatisfactory, although dog waste stickers to be sent. **Action – Stickers to be used in Kirkby Malzeard and Laverton. Chair to contact Cabinet Member responsible to discuss further, with a view to obtaining additional bins including one for Back Lane North.**

b) Update on enquires regarding a poster to encourage use of the litter bin at Highside Playing Field – no posters available from HBC. **Action: Cllr Manson to arrange for local children to design a poster.**

**27. DTMS Task List** – No new items to add to task list.

**28. Financial Items:**

a) The Bank statement showed a balance of £14,003.16

b) On-line banking – Council agreed to proceed following permanent appointment of Clerk.

**Action: Clerk to commence the application**

c) Cash Book. Reconciliation with bank statement noted by Council.

d) The following payments (including VAT where applicable) were approved.

Payee	Amount	Item Paid For
Reimbursement - Chair	£3.49	Printer ink
Hutchinson & Buchanan	£288.00	Children's Play Area Land Transaction Return – submission fee.
Andrew Towlerton Associates	£840	Consultation fees – Neighbourhood Plan
DTMS	£60.48	Playground Inspection Report Jan & Feb

**29. Laverton Annual Parish Meeting** – Note the date of the Laverton Parish Meeting to be held at Greygarth Chapel School-room on Monday, March 23 2020 commencing at 7pm.

**30. Any Other Business** – Cllr Lobley requested the Parish Council offer thanks to Dallowgill resident Jeremy Foster for his assistance in completing the refurbishment the direction sign at Tom Corner.

**31. Date of next meeting:** Monday 30<sup>th</sup> March 2020 at 7.15pm in the Annex Room, Mechanics Institute, Main Street, Kirkby Malzeard. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 20<sup>th</sup> March 2020 please.

Dated 25/02/2020

PARISH CLERK Victoria Preston, 17 Cypress Gardens, Ripon, HG4 2LT (Postal enquiries only)

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Agenda, along with General Privacy Notice, also available on the Parish Council website

[www.kirkbymalzeardarea.org.uk](http://www.kirkbymalzeardarea.org.uk) Facebook: @kmldpc