

# KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

## MINUTES OF THE PARISH COUNCIL MEETING

on Monday 25<sup>th</sup> November 2019 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 and Peter Saxon. Cllr Pippa Manson was delayed but present from item 20 onwards. District Councillor Nigel Simms and two members of the public.

### **1. Welcome and apologies for absence.**

Apologies were received from Cllr Alan Brownlee and County Cllr Margaret Atkinson.

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

None.

### **3. Approve the Minutes of the Parish Council meetings held on 30 September 2019.**

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

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

a) Secondary School bus arrangements. Cllr Aksut reported that a response is still awaited from NYCC with no further useful information provided by the Department for Education. It is likely that little progress will be made until the legal case which prompted NYCC to alter its policy is decided. **Action: Cllr Aksut to continue to monitor effect of revised policy on local children attending Outwood Academy and continue to seek formal response from NYCC.**

b) Proposed cycle track from Kirkby Malzeard to Ripon. – Cllr Aksut has clarified that it has been established that funding for the scheme is dependent on the provision of new housing at the former Army barracks site. She will continue to liaise with the organisers and whilst the signs are positive, the matter is effectively on hold at present.

c) VE Day 75 celebrations – Chair expecting update from the Royal British legion following their imminent AGM.

d) Election of Parish Council representatives on JAC of Nidderdale AONB – Once in attendance at the meeting Cllr Manson confirmed that she had implemented the view of the Council as agreed at the previous meeting.

e) Climate Change 20-point guide from Friends of the Earth. It was agreed that the Council would in the future consider the points raised in the Guide when making decisions. The Guide would also be referred to the Neighbourhood Plan Steering Group so that any appropriate measures could be incorporated into the draft Plan.

## **5. Correspondence**

- a) Pocket Parks – It was noted that Government funding was available but fully costed schemes had to be in place by the end of December, with 30% match funding available, so even if a suitable project could be identified, these restraints made it impossible.
- b) HBC Consultation concerning the promotion of the Harrogate area – completion of on-line survey. **Action: Councillors provided with link by Acting Clerk.**

**6. County and District Matters** – District Cllr Nigel Simms advised that Local Plan had been delayed by General Election. County Cllr Margaret Atkinson was not present but had notified the Council that she had made no progress obtaining data loggers (see item 16) and that NYCC were still looking into School bus arrangements (item 4a).

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

- a) 19/04239/FUL - Bramble Cottage, Kirkby Moor Road, Kirkby Malzeard - alterations to roof pitch and fenestration - Lonie. Permitted.
- b) 19/04421/PNA – Cross Hills, Dallow (Grantley) – Prior notification for erection of agricultural building – Lupton. Refused.
- c) 19/03240/DVCON – Mossie Mire, Laverton. Deletion of condition 3 (Agricultural Occupancy) to allow non-agricultural to reside, of planning permission 04/01328/FUL (Erection of 1no agricultural workers dwelling with new package treatment plant, site area 0.030 ha, revised scheme) – Cox. Refused.
- d) 19/04288/FUL - 12 St Andrews Gate Kirkby Malzeard. Erection of extension, loft conversion and installation of roof lights – Natt. Permitted.

## **8. Planning – recent Applications made to Harrogate Borough Council. The Parish Council considered these cases and approved the following responses:**

- a) 19/04669/FUL – Prospect House, Laverton – erection of single storey extension, conversion of part of garage to form additional living accommodation with installation of one roof-light – Fitzgibbon. Decision A – No objections.
- b) 19/04695/FUL – Dallow Hall, Dallow (Grantley) – demolition of timber garage, re-building of two storey outbuilding, re-building of single storey to form garden room. Erection of double garage – Stephenson. Decision A – No objections.

**Action: Acting Clerk to forward Decisions to HBC.**

## **9. Planning – recent applications made to Harrogate Borough Council where response not requested from Parish Council:**

None.

## **10. Planning - Neighbourhood Plan.**

- a) Chair provided a brief report on the Steering Group meeting held 11 November, 2019 as set out in the Draft Minutes (available on the Parish Council website).
- b) The Council considered information and costings from 3 firms of Planning Consultants obtained by the Steering Group. The companies considered were i) Andrew Towlerton Associates (Andrew Towlerton), ii) Planning Advice Plus (Shaun Hanson) and iii) Directions Planning Consultancy Ltd (Kathryn Jukes). The Council approved the recommendation by the Steering Group that Andrew Towlerton Associates be appointed subject to a) availability of grant funding from Locality to cover the full costs of the Consultants and b) that the Steering Group undertake as much of the work as possible themselves, particularly in respect of items on which they had local knowledge.

## **11. Planning - Enforcement issues.**

- a) No new cases were raised by the Councillors or members of the public.
- b) An update on current cases had been provided by HBC and was noted by the Council. **Action: The position regarding these cases would be considered again in the Spring.**

**12. BT Phone kiosks in Kirkby Malzeard and Laverton villages.** The Council again considered whether to 'adopt' the red phone kiosks if, once the public consultation period ends in early December, the decision is made by BT to remove the phones. Using the Kirkby Malzeard kiosk to house a Book Exchange was suggested by Cllr Aksut, whilst the Chair and Cllr Lobley had identified the Laverton kiosk as a suitable location for a defibrillator. It was not anticipated that the Book Exchange usage (which would be aimed mainly at children but also, at the request of a member of the public, for older people too) would involve significant cost. The provision of a defibrillator would be more expensive and could only be pursued if grant funding could be obtained. Enquiries to Community Heartbeat Trust indicated that they could provide an inclusive package at a cost of approximately £2000 and that funding is likely to be available through the National Lottery subject to an 18-week approval period. As there did appear to be potential uses and, as the kiosks were generally viewed as a positive heritage feature within the village settings, it was agreed to proceed with the adoption process. **Action: Adequacy of signal from different mobile providers in Laverton to be checked at various times before next meeting. Acting Clerk to confirm interest in adoption in principle with BT.**

## **13. Appointment of new Clerk.**

- a) The Council formally confirmed the appointment of Mrs. Victoria Preston from 02.12.2019 following an interview process with three candidates earlier in the month. Approval was given to an ongoing gross monthly salary payment of £353.17. **Action: Chair to arrange for Contract of Employment to be signed and for the handover of equipment, files etc. to take place on December 2.**

b) In advance of the new Clerk commencing work Cllr Saxon has upgraded the laptop from Windows 8 to Windows 10. He was thanked for this work which has saved the Council some expense.

#### **14. Footpaths**

a) Defective stiles on paths between Kirkby Malzeard and Laverton. The Acting Clerk confirmed that a second defective stile had been referred to NYCC Paths and the Council was awaiting a response on these, and the defective stile and gate at Lunterstone in Dallowgill.

b) Overhanging branches – Main Street, Kirkby Malzeard. Cllr Aksut confirmed that some progress had been made and that she would continue to request further action from property owners, as necessary, elsewhere in the village.

c) Carlsmoor Woods – diversion of footpath without consent. The Acting Clerk confirmed that NYCC Paths has still not reported back on this issue and had been asked to provide a response as soon as possible.

#### **15. Highways Issues**

a) Update on existing cases. The closure of Main Street, Kirkby Malzeard for sewerage works by Yorkshire Water was discussed and as far as could be ascertained it is still hoped that the work would be completed by November 29. It was noted that flooding is still occurring to the road into Laverton from Kirkby Malzeard and in front of R & J's on Long Swales Lane, with no action as yet in respect of Thieves Gill, Azerley. **Action: These existing cases to be re-reported to Highways by Acting Clerk.**

b) Various scheduled road closures are planned for BT work but some previously scheduled closures have been postponed until Kirkby Malzeard Main Street re-opens. Details have been published on the community website.

c) New items. Standing water on roads has led to further potholes. **Action: Acting Clerk to report defects on Missies Lane Laverton, the Bottom Lane from Laverton village to Warren Lane, near High Ray Carr in Dallowgill and on corner before bridge on Long Swales Lane. Kirkby Malzeard Councillors to check street lights in village and report any to the Acting Clerk which are not working as soon as possible.**

d) The Council was saddened to learn of the death of two Sawley residents in an accident at the Bishop Thornton crossroads, where there have been a number of accidents and near misses in the past. **Action: Acting Clerk to write to Highways and request that improvements be made to this junction to prevent similar accidents in the future.**

#### **16. Traffic and parking issues –**

a) The Chair reported that a response has been sent to Highways following their letter of 6 September specifically to point out that data loggers (which monitor the speed of vehicles) had been requested in February and were still awaited, and also to ascertain how best to achieve

the extension of the 20mph zone in Kirkby Malzeard, which is seen as the Council's next objective following the forthcoming introduction of a 30mph zone in Laverton. Whilst there may be merits in organising a Community Speed Watch this would be held in abeyance until there was progress with the above matters.

**17. Kirkby Malzeard Area Community Association.** The Chair reported that progress was being made with a view to registering KMACA as a charity shortly.

**18. Illegal Drug use in Parish.** Cllr Aksut advised that the meeting had been rescheduled for Tuesday December 10 commencing at 6.00pm in the Mechanics Institute. Refreshments would be served prior to a talk from a North Yorkshire Police Youth Officer beginning at 6.30pm. The Officer will provide information on the drugs issue in the area currently so that steps can be taken to prevent the situation becoming worse.

### **19. External Meetings/Training**

a) YLCA Branch Meeting to deal with CIL – November 18. Cllr Berry attended and reported back on the potential benefits which the Community Infrastructure Levy will provide when it is introduced next year. The Levy will raise funds from developers in conjunction with the existing s106 commuted sums payments.

b) Nidderdale Group Safer Neighbourhoods meeting on November 27 and the Nidderdale Strategic Partnership meeting on November 28 – Chair to attend.

c) YLCA webinar training November- January programme. Chair to join the webinar training covering 'Agendas and Minutes' on November 27.

d) HBC Parish Consultation meeting - January 22 at Bishop Monkton. **Action: Councillors to notify the Clerk of any questions they wish to raise at the next meeting.**

### **20. Council Property Assets**

a) Consider monthly reports on condition of Assets from Councillors.

Asset	Inspected by	Date	Comment
Pinfold	Cllr Aksut	23.11.2019	No urgent work required
Market Cross	Cllr Berry	24.11.2019	No urgent work required
Greygarth Monument	Cllr Lobley	24.11.2019	No urgent work required
Lamberts Quarry	Cllr Mountain	24.11.2019	No urgent work required
Laverton Quarry	Cllr Mountain	24.11.2019	No urgent work required

b) Bus Shelter opposite Kirkby Stores, Kirkby Malzeard. Cllr Berry advised that he had commenced work on making the internal noticeboard and expected that it would be in place shortly. Chair reported that the NP Steering Group had not included a claim for an external noticeboard within the grant application, as it did not consider it a priority at this time.

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

- a) Consider latest monthly report from DTMS and weekly inspections by Councillors. No urgent work required.
- b) Proposed improvement programme – Chair reported that local consultation was progressing and an update would be provided as soon as this was complete.
- c) Registration of sub-lease with Land Registry – HBC legal department had, after five months, provided a new copy of the Deed of Variation between themselves and the HPFA, and this had been referred to the Parish Council's solicitors for advice.

**22. Grass cutting to village verges.** The Council considered seven tender responses and approved the awarding of the contract to Morgan Estates of Ripon for 2020, subject to an onsite meeting with the contractor to confirm arrangements. The decision was based on costings and the experience which the successful contractor has with wild flower areas. The contract will be reviewed at the end of the year and renewed in line with RPI for 2021 and 2020 if the work in 2020 has been undertaken to the satisfaction of the Council. **Action: Chair and Cllr Manson to meet Emma Winney of Morgan Estates and finalise arrangements as soon as practical. Unsuccessful applicants to be advised by Acting Clerk.**

**23. DTMS Task List.** Chair advised that the contracted work for 2019 had been completed with no outstanding items.

## **24. Financial Items:**

- a) The Bank statement showed a balance of £13,840.45.
- b) Cash Book. Reconciliation with bank statement noted by Council.
- c) Draft budget (incorporating draft precept request figure) for 2020-21 provided for consideration and approval at next meeting. Initial discussion held to clarify level of existing reserves, projected income and anticipated spending.
- d) The following payment (including VAT where applicable) was approved;

<b>Payee</b>	<b>Amount</b>	<b>Item Paid For</b>
Buckton Homes and Gardens	£760.00	Grass cutting of village verges – October.

**25. Any Other Business** - items not covered elsewhere on the Agenda can be raised by Councillors and Members of the Public for discussion and referral onto next Agenda.

a) The litter problem at the Highside Playing Fields was raised. **Action: decision about whether notices are needed to ask people to use the waste bins will be put as an agenda item at the next meeting.**

b) Cllr Aksut requested that the future of the former Henry Jenkins Inn be discussed at the next meeting. **Action: Item to be placed on Agenda. Cllr Aksut to seek clarification from HBC on whether a dispensation is possible to enable all Councillors to take part regardless of their declarable Interests.**

**26. Date of next meeting:** Monday 16 December 2019 at 7.15pm in the Annex, Mechanics Institute, Main Street, Kirkby Malzeard. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 6 December 2019 please.

Dated 01.12.2019

ACTING CLERK: Howard Mountain, Mount Pleasant. Laverton, Ripon, HG4 3RH (Postal enquiries only) Tel: 01765 658838 Email: [clerk.kmldpc@outlook.com](mailto:clerk.kmldpc@outlook.com) Agenda, along with General Privacy Notice, also available on the Parish Council website [www.kmldpc.btck.co.uk](http://www.kmldpc.btck.co.uk) Facebook: @kmldpc