

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING

held on 29 April 2019 in

the Main Hall of the Mechanics Institute, Kirkby Malzeard

The Meeting commenced at 7.50pm

Present: Councillors Howard Mountain (Chair), Geoff Lobley (Vice-Chair), Jane Aksut, Geoffrey Berry, Pippa Manson, Peter Saxon, with County Cllr Margaret Atkinson (present until Item 17) and District Cllr Nigel Simms (present until Item 21), with Jen Hurford (Clerk), and 2 members of the public.

1. Welcome and apologies for absence.

Apologies were received from Cllr Alan Brownlee.

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

Cllrs Aksut and Lobley declared a 'Close Association' in respect of Item 8b and took no part in the discussion or decision.

3. Approve the Minutes of the Parish Council meeting held on 25th March 2019.

The minutes of the Parish Council meeting on March 25th were confirmed as an accurate account - proposed by Cllr Berry, seconded by Cllr Manson and signed by the Chairman.

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

a) Update on Salt Bin adjacent St Andrew's Church, Kirkby Malzeard – Cllr Aksut reported that no progress had been made with Highways about donating another bin for the Church to use on their path. It was agreed that the Church should pursue the matter further if they wished to.

b) Update on Old School and St Peter's, Dallowgill – Cllr Berry advised information was still awaited from the Diocese concerning aspects of the disposal of the redundant Church. It was noted that the potential Buyer had made a pre-planning enquiry to HBC and that his offer was subject to Planning Consent being available.

c) Update on obtaining grant funding for Dallowgill defibrillator – Cllr Aksut informed that potential funding sources were still being sought.

d) Update on distribution of dog fouling leaflets in Kirkby Malzeard village – The Chair advised 350 leaflets had now been distributed to residents.

e) Update on provision of dog waste bins – The Clerk advised an email had been sent to Benjamin Grabham of HBC as recommended at the Parish Consultation to request again for an additional bin and a response was awaited.

5. Correspondence – Clerk to raise any relevant items with Councillors including those listed;

- a) Glawning – Notification of Glampfest at Ivy Bank Campsite, Kirkby Malzeard 17-19 May. Complaint received from resident concerning last year’s Glampfest. The Chair had sent a response to the resident confirming that their concerns over noise levels had been raised with the event organisers, and that the Council would informally monitor the situation this year. If serious problems arose the matter would be referred to Environmental Health. General feedback on last year’s festival had otherwise been positive.
- b) HBC – Notification of ‘Looking out for our Neighbours’ Campaign was advised of. **Action: Clerk to acquire the pack being offered, to make available to residents.**
- c) Nidderdale Plus – Notification of Executive Meeting on 1 May at 9.30 am Pateley Bridge was given. The Council did not intend to send a representative.
- d) HBC – Notification of consultation over the review of Polling districts and Polling places. The Council agreed it did not have any input to make on this matter.
- e) HBC – Private Housing Sector Drop-In Sessions for tenants – information noted.
- f) HBC – Ethical Standards Training for Councillors – Councillors to make arrangements to attend one of sessions during year.

6. County and District Matters – District Cllr Simms had no matters to raise. County Cllr Atkinson advised that the County Council was working on the basis that European MEP elections would go ahead. Cllr Aksut advised works to the undulations to the road towards the west end of Main Street had been rectified and thanked Cllr Atkinson for the contribution from her budget towards this.

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

- a) 19/00423/FUL - 30 St Andrews Meadows Kirkby Malzeard - Erection of single storey extension - Walker - Approved.
- b) 19/00558/FUL – West Riding House 2 Pinfold Court Kirkby Malzeard – Erection of extension to garage and formation of porch under canopy – Cowling – Approved.
- c) 19/00496/DVCON – Parkfield, Galphay Road, Kirkby Malzeard - Variation of condition 1 of permission 17/04096/OUT to omit restriction to the northern 23m of site - Briahaze Village Homes – Refused.
- d) 19/00711/FUL - Carr House Cottage, Carr House Farm, Kirkby Malzeard - Erection of a single storey extension – Watson - Approved.
- e) 19/00907/FUL - The Shooters Inn, Dallowgill - Demolition of existing garden shed and erection of a garden store – Foster - Approved.

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

- a) 19/01095/COU – Low Keld, Main Street, Kirkby Malzeard – Change of Use from Agricultural land to domestic curtilage – Fillingham. The Council agreed it had no objections to the application. **Action: Clerk to submit response to HBC.**

b) 19/01466/CLEUD - Kendall Bank, Kirkby Moor Road, Kirkby Malzeard - Application for a Certificate of Lawfulness for existing non-agricultural occupation of dwelling - Fountain. The Council agreed it had no comments to make over the information provided by the applicants within the application. **Action: Clerk to submit response to HBC.**

c) 19/01663/CLEUD - Lady Hill Lodge, NNE Of Lady Hill Cottage, Dallowgill – Application for a Certificate of lawfulness for residential use of a static caravan and associated domestic extensions – Sidgwick. The Council agreed it had no comments to make over the information provided by the applicants within the application. **Action: Clerk to submit response to HBC.**

9. Planning - Neighbourhood Plan.

a) Confirmation of the Designation of the Plan Area was given by HBC on 04.04.2019. This will be publicised in the local press and a press release will be provided to Ripon Gazette by the Council.

b) The first meeting of the Steering Group committee will be provisionally arranged for early June. **Action: Chair to research availability of grant funding prior to the meeting.**

10. Planning – Enforcement issues. There were no new matters raised by Councillors or Public to be referred to the Planning Enforcement Office at HBC for consideration. Updates were provided on the progress of current cases. **Action: Chair to follow up previous enquiry made to AONB concerning static caravans.**

11. Footpaths – HAR/2018/04/DMMO: Arrowfield, Main Street, Kirkby Malzeard – Footpath to be added to Definitive Map. NYCC were now seeking final representations prior to making the Order. As in this instance the Council had initiated the application no further representation was necessary, but it was agreed that the Chair should reiterate the importance of the application to NYCC. **Action: Chair to contact NYCC.**

12. Post Office Van – Problems over parking have arisen recently due to other vehicles being illegally parked in the allocated space outside the Mechanics Institute. Although there is a sign on a post indicating restrictions this is small and it was felt that markings on the road would be more effective. Cllr Berry suggested photographs should be taken of offending vehicles and sent to the police. **Action: Chair to enquire to Highways about the provision of road markings.**

13. Information Drop-in Session 20th April – The Chair confirmed the event was well attended and worthwhile, with feedback acquired on the Neighbourhood Plan, Community Association, Play Area and Traffic issues, and publicity given to the First Response Team, Local Organisations, Youth Club and Drug issues. Residents had raised issues over the out of date bus timetable on Main Street and potholes to Back Lane North. Dog fouling was perceived as a general issue and complaints were also made about drones and aircraft noise. **Action: Chair to provide new bus timetable and Clerk to source contact for low-flying aircraft complaints.**

14. Community Association Committee – Following the meeting on 04.04.2019 Cllr Saxon (Chair of Committee) confirmed three Trustees had been selected initially; John Collins from the MIVH, Marlon Johnson from HPFA and the PC Chair. The next stage was to finalise the Constitution and apply for Registration as a Charity. **Action: Progress report at next meeting.**

15. Traffic and parking issues

a) Parking on The Green – Cllr Brownlee had advised prior to the meeting that no progress had yet been made. **Action: Cllr Brownlee to report at next meeting.**

b) Extension of the Temporary Vehicle Activated Sign (VAS) Protocol by NYCC was noted which meant that Councils could now purchase these from NYCC but as one sign would cost in the region of £2500 it was considered unreasonably expensive and alternative methods of reducing speed on Main Street would have to be considered initially.

c) Data Loggers to monitor vehicle speeds were still to be fully installed, although a control box had been recently fitted near Brick Row by North Yorkshire Fire Brigade.

d) Update on Council's proposals regarding traffic issues in the Parish following the Public Consultation at the Drop-in Session was given by Cllr Aksut, with the final findings still to be collated. Various aspects concerning a one-way system on Long Swales Lane and Church Street/Bank were discussed, in particular the additional traffic which this would create on Main Street. Cllr Aksut suggested the questionnaire be circulated further via the website and hard copies left at communal place such as the shop. **Action: Cllr Aksut to distribute questionnaires and report on final findings in due course.**

16. Tour De Yorkshire 2019 – The Chair confirmed a grant of £550 had been allocated to the Council by HBC together with 300m of bunting which was also to be used in conjunction with the World Championships in September. It was agreed that any balance available within the grant be used to cover sound system hire costs if necessary. Insurers had confirmed communal areas were covered, Risk Assessments had been carried out and volunteers without insurance were to be asked to sign a disclaimer form.

17. Council Property Assets –

a) Cllr Berry confirmed inspection of the Market Cross on April 29th and Cllr Akust of the Pinfold on April 28th, with no increase in the cracking to walling. Cllr Lobley confirmed inspection of Greygarth Monument on April 27th with no defects present and the Chair of Lamberts Quarry and Laverton Quarry on April 29th with no problems noted.

b) Bus Shelter opposite Kirkby Stores, Kirkby Malzeard – Cllr Aksut advised a second contractor had looked at the work but an estimate was still awaited. **Action: Cllr Aksut to obtain estimate for the next meeting.**

18. Children's Play Area

a) It was resolved to approve that the Council take a sub-lease for the Play Area from HPFA on the terms agreed - proposed by the Chair and seconded by Cllr Berry. The sub-lease was then

signed by the Chair and Cllr Lobley and witnessed by the Clerk. Payment of £16pa rent, £1 equipment fee and £5 oath swearing fee (to acknowledge that Security of Tenure is excluded) were approved. **Action: Clerk to raise cheque. Chair to make arrangements for the lease to be registered.**

b) Cllrs agreed to confirm that DTMS Ltd should proceed with fencing work to Play Area utilising commuted sums money as previously agreed - item 15b September 2018.

c) Findings of the March and April monthly reports from DTMS were considered with no essential works reported. It was agreed that the Clerk should advise DTMS payment would only be given for one inspection where two were being provided together, following previous requests to have them sent monthly.

d) It was agreed that the Chair will carry out weekly inspections as required by the Insurers with other Cllrs also being shown what defects to check for. The Play Area training meeting attended by the Chair was very informative. Feedback from the Drop-in Session was that other playgrounds had more modern equipment and that ideally WC facilities would be available nearby. **Clerk to provide form to record weekly inspections. Chair to investigate grant availability for upgrading equipment in due course.**

19. Highways Issues

a) Cllr Aksut advised resurfacing at the top of Main Street was complete although tarmac had been dropped into adjacent gullies, which Highways had now been asked to remove. She also raised the issue of the road cleaner being obstructed by cars which she will investigate further. Clerk to enquire about the remaining blocked drains at High Walk and the west end of Main Street, various replacement road signs, together with flooding and build-up of gravel to bends at Thievesgill. The Chair advised short-term works had been carried out to deal with flooding on the road going into Laverton with a long-term solution promised later in the year. **Action: Cllr Aksut to enquire to Patrick Kilburn of HBC again about road cleaning. Clerk to chase outstanding items with Highways.**

b) New items - Pothole below Tom Corner, approximately 100m in the middle of the road towards Kirkby Malzeard. **Action: Clerk to report to Highways.**

c) Spraying of weeds to paths and gutters in Kirkby Malzeard village – Cllr Manson advised the recent Kirkby in Bloom village tidy up was quite well attended with works mainly carried out to Main Street. The Council agreed to obtain a quote from DTMS for spraying work for consideration at the next meeting. **Action: Clerk to obtain quote, with specification to be provided by Cllr Manson.**

20. DTMS Task List – There were no works carried out by Parish Caretakers to report and no new items to be added to their task list.

21. Internal Audit arrangements for 2018-19

a) As previous Internal Auditor was unavailable due to illness, the appointment of Janet Bennett of Yorkshire Internal Audit Services as Internal Auditor was proposed by the Chair, seconded by Cllr Manson and approved by the Council.

b) Certification by Clerk and Chair that the Council is exempt from External Audit as its annual turnover does not exceed £25,000 (Page 3 of AGAR) was proposed by the Chair, seconded by Cllr Manson and approved by the Council.

22. Annual Internal Audit Report for 2018-19 - not yet available but the Chair advised the internal auditor had verbally recommended that electronic banking was adopted for the Clerk's salary and subsequent PAYE payments. Cllrs agreed to arrangements being investigated as an increasing number of invoices were not now payable by cheque (necessitating personal payment by Chair or Clerk and subsequent re-imburement) and these could be paid by debit card or BACS transfer instead. **Action: Clerk to place item on the agenda of the Annual Parish Council meeting.**

23. End of Year Financial Documents for 2018-19 – The following documents were proposed by the Chair, seconded by Cllr Aksut and formally approved, together with Analysis of Variances where applicable:

- a) Receipts
- b) Payments
- c) Bank Reconciliation
- d) Cash Book
- e) Comparison of income and expenditure to budget
- f) Asset Register as at 31 March 2019

24. Annual Governance and Accountability Return 2018-19

a) Effectiveness of Internal Controls was confirmed for 2018-19. The Chair proposed approval of Section 1 Annual Governance Statement (Page 5 of AGAR) being seconded by Cllr Lobley and approved by the Council.

b) Initial consideration was given to Section 2 Accounting Statements (Page 6 of AGAR). This will be formally considered at Annual Parish Council Meeting in May.

25. Regular Monthly Financial items 2019-20:

a) Bank statement – the Clerk advised of balance, outgoings and income on latest available statement. The balance at April 19th was £7,245.45.

b) Cash Book – up to date record of payments/receipts. Reconciliation with the bank statement was demonstrated. Following further payments and receipts the cash book showed a balance of £6,565.45 as at the date of the meeting.

c) The Clerk advised the Mandate Form submitted to HSBC had been actioned and Cllr Berry was now a signatory alongside Cllrs Mountain, Aksut and Lobley.

- d) The Clerk confirmed the HSBC investment account had now been closed and the balance of interest transferred.
- e) Approval given for payment of £410.00 to YLCA for membership 2019-20.
- f) Approval given for payment of £24.56 to D3 Office Group Ltd for stationery.
- g) Approval given for payment of £205.00 to Chair to reimburse for 8 panel display board purchased from Wonderwall Products Ltd (under T de Y Grant from HBC).
- h) Approval given for payments to Chair of £38 to reimburse for 500 Tour de Yorkshire leaflets and £170 for 1500 T de Y Programmes from Beyond Digital (under T de Y Grant from HBC).
- i) Approval given for payment of £92.40 to Chair to reimburse for Neighbourhood Plan Pull-up Banner and associated artwork/printing from Beyond Digital.
- j) Approval given for payment to DTMS Ltd of £60.48 for March and April's playground inspections.

26. Any Other Business –

- a) Cllr Manson advised of a resident proposing the introduction of a Geocache trail, an activity using GPS to follow clues to treasure, which involved Council owned land. **Action: Matter to be placed on next meeting agenda for formal approval.**
- b) Cllr Berry raised the issue of Declarations of Interests by Councillors at meetings. **Action: Matter to be placed on agenda of Annual Parish Council Meeting.**
- c) Cllr Lobley commented that he was disappointed Galphay Road had not been widened when the two new houses had been built. **Action: Matter to be placed on next meeting agenda for further discussion.**

27. Date of next meeting: The **Annual Parish Council Meeting** will be held on Monday 20 May 2019 at 7.00pm in the annex room of the Mechanics Institute, Kirkby Malzeard. The **regular monthly Meeting of the Parish Council** will follow the Annual Parish Council Meeting on May 20 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 10 May 2019 please.

The meeting closed at 21.35pm

Dated 13/05/2019

PARISH CLERK Jen Hurford, Holmes Cottage, High Walk, Kirkby Malzeard HG4 3RY (Postal enquiries only)

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

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