

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

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MINUTES OF THE PARISH COUNCIL MEETING HELD IN THE ANNEX ROOM OF THE MECHANICS INSTITUTE, KIRKBY MALZEARD ON MONDAY JANUARY 30 AT 7.15pm

These Minutes were signed as being a true record of the meeting by Chair Cllr Howard Mountain on February 27.

Present: Parish Councillors Gwynneth Jackson, Gerry Mass, Geoff Loble, Ruth Broadley and Howard Mountain, District/County Councillor Margaret Atkinson and three members of the public.

1. APOLOGIES FOR ABSENCE - Cllr Mike Hurford and Cllr John Peacock.
2. DECLARATIONS OF INTEREST by Councillors for any item on the agenda – none.
3. THE MINUTES OF THE PREVIOUS FULL MEETING held on December 19, 2016 were confirmed as a true record - Proposed by Cllr Mass and Seconded by Cllr Broadley. 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 – Cllr. Hurford has contacted the Dairy about the ownership of the lane and the issue of the rubbish that has been collecting on the verges of the road outside the dairy. The Dairy felt that the perimeter wall was their boundary and that the Lane was not their responsibility. They did agree to monitor the litter problem, although it was acknowledged that some of this had been blown down from the village in recent high winds. Cllr Jackson stated that in the past the Dairy and the owner of Mowbray Hall had agreed to keep their own sides maintained but as this was not happening it was decided to ask the parish caretakers for a quote to clean up the Lane. Further enquiries will be made to try and establish the ownership.
 - (b) The vandalised waste bin at the Playing Fields has now been replaced by Harrogate Council.
 - (c) The possible use of advisory signs in the event of flooding to the road south of the bridge in Laverton will be included within items covered by the Emergency committee when formed (item 23).
 - (d) The AGM of Kirkby Malzeard Charitable Trust has been postponed until a date in February. Cllr Loble will report back to the next meeting.
 - (e) Pinfold Gate – the tenant, Paul Johnson, has kindly agreed to do the preparation and repainting of the gate and the Parish Council will cover the cost of the materials.
5. QUEEN'S HEAD, KIRKBY MALZEARD – The tenants have given notice to the owners, Enterprise Inns, to end their lease in March as the business was not viable at the current rent level and with the tied arrangements in place, and there were concerns from residents that this may result in the pub closing. The parish council have written to the owners, pointing out the importance of keeping a pub in the village, and Enterprise Inns have confirmed that they are seeking new tenants. There was a public meeting on January 25th on the premises, addressed by Mr David Mountford, who campaigns on behalf of pub tenants, and in his opinion there are three options for Enterprise Inns:

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a) substantially reduce the rent so that the existing tenants can remain, b) replace the tenants with Managers working on their behalf or c) sell the property so that it could be run free of tie. A petition is being circulated by residents, led by Dave Robinson, to put pressure on Enterprise Inns to reach a solution agreeable to all parties. It was felt that the Parish Council should do all that it could to ensure that the pub remained open, but it was not appropriate to get directly involved with negotiations between the owners and tenants. The Council will continue to liaise with the present tenants, Enterprise Inns, and with Dave Robinson.

6. HENRY JENKINS, KIRKBY MALZEARD - A decision by Harrogate Council is still awaited on the application filed by the Save the Henry Jenkins group, for the property to be listed as an Asset of Community Value, which should be made by February 5 (subsequently put back until February 19). The owner has submitted new plans for the design of the proposed houses on the site to Harrogate Planning Department and these were examined. The Parish Council are not asked to officially comment but welcomed the change to 2 parking spaces instead of 1 garage and 1 parking space, as it was felt that this would be more likely to result in cars being parked at the back, rather than on Main Street. The height of the proposed new buildings in relation to neighbouring properties will be checked.

7. CHILDREN'S PLAY AREA, KIRKBY MALZEARD – It was agreed that the cost of the monthly routine inspections will be covered by the Parish Council from February onwards to be undertaken by the parish caretakers (DTMS Ltd). This will amount to £192 annually (£16 per hr. + VAT). It was also agreed that the council be responsible for routine maintenance work, subject to quotations. The Highside Playing Field Association would remain responsible for any replacement or renewal of play equipment and it is understood that they are investigating grant funding at present. The annual safety report on the play area which HPFA obtained in September 2016 will be forwarded to DTMS Ltd for costing of recommended works. It was noted that the ground maintenance grant from Harrogate Borough Council to the HPFA has recently been reduced which will affect their financial position adversely.

8. PLANNING – recent decisions made by Harrogate Borough Council

(a) 16/02114/FUL: Bramble Cottage, Kirkby Moor Lane, Kirkby Malzeard – change of use of agricultural land to domestic use, to include formation of driveway and parking area and formation of new access – Lonie – refused.

(b) 16/04744/FUL: Laverton Bridge Cottage, Laverton – erection of single storey extension – Fraser - permitted.

(c) 16/05070/ADV: Sarah Jones Antique Shop, North View, Main Street, Kirkby Malzeard – display of 1 non-illuminated fascia to front elevation – Jones – permitted.

(d) 16/03048/FUL: Barn at Grid ref SE230732, Laverton – conversion of barn to form dwelling – Masterman – permitted.

It was also noted that Harrogate Borough Council have objected to the proposed removal of the telephone kiosks in Kirkby Malzeard and Laverton as the mobile signal in the area was considered inadequate, and it is therefore understood that these will not be removed at the present time and will continue in operational order.

9. PLANNING – application considered at interim meeting on January 5

(a) 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 – The parish council had 'No

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objections’.

10. PLANNING – new application to be considered

(a) 16/04994/DVCON: The Haven, Laverton Road, Kirkby Malzeard – variation of Condition 2 (Approved Plans) of permission 15/05350/FUL for substitution of approved plan details for revised details – Fillingham – The parish council had ‘No objections’

11. 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 will be removed shortly.

KM 17/002 – Give Way sign required 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 letter sent by Highways to owner requesting action.

KM 17/004 – Remove obsolete posts in front of Low Ray Carr, Dallowgill – posts not considered a hazard – Highways have no plans to remove them.

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.

KM 17/007 – Warning signs requested near cemetery, Galphay Road, Kirkby Malzeard – still awaiting response from Highways.

KM 17/008 – Back Lane North, Kirkby Malzeard – asked if road was scheduled for resurfacing in 2017/18 – no plans to resurface but Highways will inspect and undertake pothole repairs as 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 – request for repair as vehicles grounding – inspected by Highways but no repairs considered necessary – Parish Council will continue to request work.

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 – asked if road was scheduled for resurfacing in 2017/18 – no plans to resurface but Highways will monitor and repair if necessary.

KM 17/013 – Deterioration to road surface, flooding and damaged fence to corner of Long Swales Lane, Kirkby Malzeard – still awaiting reply from Highways.

KM 17/014 – Request for information as to where One Way section of Back Lane South Kirkby Malzeard commences – still awaiting reply from Highways but District/County Cllr Atkinson indicated that it starts immediately west of ‘Coverdale’.

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 – Parish Council will follow up this matter.

New requests

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The condition of some man-hole covers on Main Street, Kirkby Malzeard will be referred to Highways as they require attention. Specific reference will be made to manholes near the Long Swales junction and near 'Glevum'.

12. NEW CLERK – It was confirmed that an advert has been placed in the Fountain, on the Kirkby Malzeard Area Guide website and on the Parish Council website. A poster and a job description document was approved, and the posters will be displayed shortly. It is anticipated that interviews will be held in March and the successful candidate appointed to start at the beginning of April. It was approved that we spend £15 to put an advert on the Yorkshire Local Councils Association website in case the position is of interest to existing Clerks.

13. CORRESPONDENCE

(a) Annual Report and letter from the Citizens Advice Bureau asking for contribution. The council felt it appropriate to use our limited funding to support organisations within the parish.

(b) E mail from YLCA with information that PKF Littlejohn will be the external auditors from 2017/18 until 2021/22.

(c) A possible breach of planning control in respect of an agricultural building in the Swetton area of Dallowgill was referred to Harrogate council following our meeting in August. It is understood that this matter is still with their legal department. The parish council is to contact Harrogate further on this matter to try and progress it further.

(d) E mail from 'Defibrillators for Ripon' asking the Parish Council to investigate whether any funding is available for councils at present. This will be looked into but there are already two defibrillators in village so that may well make us ineligible.

(e) YLCA have advised that training seminars are to be held shortly on creating Neighbourhood Plans – the council will consider whether representatives should attend.

14. PARISH COUNCIL NOTICEBOARDS

(a) Kirkby Malzeard - The Mechanics Institute will install new display equipment in the snooker room window and remove the old board shortly.

(b) Laverton – The council considered two estimates for a larger new board in Laverton and agreed to proceed with the quote from George Meer at a figure of £465.00. It was felt that new posts should also be installed and a figure for supplying these at the same time will be obtained. The parish caretakers will be asked for a quote for installation of these posts.

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

Following the provision of a report on the condition of trees by Wards of Kirkby Malzeard, the council has written to neighbouring land owners to establish the ownership of trees within the boundaries. We have not yet had a response from one owner but hopefully this will be available for our next meeting. We will then arrange estimates for undertaking any necessary work here and at Laverton Quarry.

In conjunction with this the ownership of the north section of Laverton river bank was raised as a branch had recently fallen from one of the trees there during recent high winds, but no definitive answer was available. The council is to make enquiries about this and the public were asked for any information which they may have.

16. COMMUTED SUMS

(a) The new benches for the Playing fields have been purchased and Highside Playing Field Association are in the process of recouping the cost direct from Harrogate council.

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(b) The Parish Council, on behalf of Kirkby in Bloom, have obtained a Street Furniture Licence for the bench which is to be sited on Back Lane South, opposite The Green, and this is to be positioned by contractors (The Walled Garden) on February 2. The cost will then be recouped from Harrogate Council.

17. STANDING ORDERS/ASSET REGISTER

The council agreed to draft amendments to a number of its Standing Orders and the revised version of the document will be formally considered for adoption shortly. This will be published on the council website once adopted. The amendments concerned the number of quotes required for items of expenditure, the length of meetings, staff appraisal procedures, and how interim meetings are minuted.

An Asset Register, listing the assets owned by the Council for accounting purposes, was adopted by the council, having been proposed by Cllr Mountain and seconded by Cllr Mass. This, together with other financial information, will be available for inspection on the Parish Council website, to comply with the requirements of the Transparency Code for Smaller Authorities.

18. FINANCES

(a) Bank Statements – it was agreed that from this month onwards the bank statements from HSBC would be reported to the meeting. Statements for the Investment account are issued every six months and the last available balance (as at September 2016) was £2852.38, with 50p interest being paid every quarter.

Enquiries will be made to establish whether any better interest rates are available for parish council accounts. The balance of the Current Account as at January 2017 was £12,432.24. A VAT refund of £1,603.40 had recently been obtained.

(b) payment to the Mechanics Institute for the window display unit was approved - £93.79

(c) payment to the Mechanics Institute for the 2016 Hall hire was approved - £169.20

(d) it was agreed that Microsoft Office Home and Student software be purchased for the Parish Council laptop at a cost of £107.87 and that Norton Security software would be fitted (no cost involved).

(e) The council approved the draft letters to the Mechanics Institute and Highside Playing Field Association requesting that they make a formal application for the annual grants which they receive from the parish council. These will be sent out by the Clerk shortly.

19. THE TASK LIST FOR THE PARISH CARETAKERS, DTMS Ltd, for 2017 was discussed and the following are to be included:

(1) Strimming, clearing and maintenance to the bridleway at Lambert's Quarry (3 times a year) and to the footpath at Laverton Quarry South (twice a year).

(2) Trimming the Snowberry bushes at the Market Cross junction– once a year.

(3) Strimming the visibility splays to the road junctions in June and in Autumn

a - Laverton Road/Kirkby Moor Road.

b - Dallowgill Road/Missies Lane (adjacent to the Highways Yard).

c- Dallowgill Road/Belford Lane (work required very limited).

(4) Road signs to be cleaned once a year.

(5) Inspection/routine maintenance of Children's Play area.

It was agreed that litter picking would no longer be included as it was difficult to monitor this work.

It was also agreed that quotes would be obtained for digging out the road-side ditch in front of Laverton Quarry South, erecting the noticeboard posts in Laverton and for maintenance work to Love Lane.

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20. COMMUNITY LED HOUSING – a brief update was provided but as Cllr Hurford, who is leading this matter, was not present, it was decided to wait until the next meeting for his input on this topic.

21. SUPERFAST BROADBAND – Superfast North Yorkshire have informed the council that Kirkby Malzeard and Laverton villages (and the area between) are now upgraded to fibre broadband and residents should contact their broadband providers to arrange to obtain this improved service. No such progress has been made in respect of the other rural areas of the parish and we will continue to monitor this to ensure that the promises made by the government, that all premises will be provided with such a service, are honoured.

MOBILE SIGNALS – the Ofcom website indicates that EE provides the best mobile signal within the parish. Further information on this is available through the parish council website. The parish council will contact Ofcom to ascertain if anything can be done to encourage other providers to improve their service in this area.

FACEBOOK – the Parish Council agreed to set up a Facebook page in the hope that this enable a younger generation to be more aware of the role of the council locally.

WELCOME PACK – initial discussions were held about whether an information pack could be provided for newcomers to the parish – perhaps all organisations in the parish could contribute to this. The matter will be placed on the agenda for the next meeting.

22. AONB PLANNING POLICY ON CAMP SITES - The Parish Council discussed the response from the AONB to our letter requesting an explanation as to why the effects on the landscape appear to be ignored in such cases. It was agreed that discussions are needed to ensure a unified approach to the incursion on rural areas within the parish by such schemes.

23. EMERGENCY ARRANGEMENTS FOR THE PARISH - The parish council are to contact representatives of local organisations to establish a committee. It was suggested that Cllrs Mountain, Hurford, Mass and Lobley represent the parish council, with Cllrs Jackson, Broadley and Peacock being reserve members. Letters will be sent out shortly and there will be a report on progress at the next meeting.

24. ANY OTHER BUSINESS - Cllr Lobley raised the matter of the future of the Education Centre (Old School building) at Dallowgill as this has stood empty for some years now. A local resident had previously referred this to the Enforcement Department of Harrogate Council and we will contact them to see if any progress has been made.

25. NEXT MEETING – Monday February 27th at 7:15 p.m. This will be held in the School Room at the Methodist Chapel, Kirkby Malzeard (not in the normal venue of the Mechanics Institute). Items for the Agenda to be submitted to the Clerk by February 17th please.

26. SCHEDULE OF FULL MEETINGS FOR 2017 approved: March 27, April 24, May 22, June 26, July 31, August 21, September 25, October 30, November 27 and December 18. Meetings will be held in the annex room of the Mechanics Institute and will commence at 7.15pm unless rescheduled.

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There being no further business the meeting closed at 9.02 pm.

Howard Mountain
Acting Clerk to the Parish Council

Dated Monday February 6, 2017

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Date.....