

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

### **MINUTES OF THE PARISH COUNCIL MEETING on Monday 22nd February 2021 held remotely**

The meeting commenced at 7.30pm. Councillors Pippa Manson (Chair), Peter Saxon (Vice-Chair), Geoffrey Berry, Fiona Robertshaw and Jane Aksut, together with the Clerk, took part in the video conference with County Cllr Margaret Atkinson, District Cllr Nigel Simms and four members of the public. Cllr Geoff Lobley joined the meeting via telephone.

**Note: The meeting was held remotely using video conferencing methods in accordance with legislation which came into force on April 4, 2020 as set out in 'The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020'.**

It was confirmed by the Chair that all persons attending could hear and be heard prior to commencement of the meeting.

**1. Welcome. Apologies for absence from Councillors – approve reason why unable to take part.** All present confirmed they understood the procedure at remote meetings.

**2. Declarations of Disclosable Pecuniary Interest, Other Interests or Close Association** by Cllrs Cllr Saxon declared a 'Close Association' in relation to item 16.

Cllr Aksut has a dispensation dated 24<sup>th</sup> February 2020 in relation to item 10 and declared a 'Close Association' in relation to item 16.

Chair has a dispensation dated 24<sup>th</sup> February 2020 in relation to item 10 and requested a Dispensation to allow her to participate in the discussion and vote in relation to item 16. The Dispensation was requested to last until the end of the Parish Council term. The Dispensation was approved.

Cllr Robertshaw declared a DPI in relation to item 10. She has requested a dispensation form which she will submit to the Clerk.

**3. Approve the Minutes of the Parish Council meeting held on 25<sup>th</sup> January 2021**

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

**4. Casual vacancy for a parish councillor for Laverton** - The notice period for residents to request an election ends 23 February – The process to fill the vacancy by co-option was agreed.

**5. Correspondence – any urgent items will be raised by the Clerk for consideration and action.**

- a) Local Resident – Recent article regarding government housing demands locally - Noted
- b) North Yorkshire County Council – Update on the local government reorganisation and the proposal for a unitary council - Noted

**6. Urgent updates from County and District Councillors if present.**

Both the County and District Councils are awaiting the government's consultation re local government re-organisation in North Yorkshire. County Council elections may be delayed. It is expected that the Parish Council will be consulted re the re-organisation.

**7. Planning – recent Applications made to Harrogate Borough Council where the Parish Council have not consulted:**

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

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

- a) 20/04686/FUL - 3 Dallow Cottages, Grantley – Demolition of various stores and sheds and erection of replacement building– Laverick **Decision D – The Parish Council supports the application.**
- b) 21/00053/FUL - Ringbeck Cottage Ringbeck Road Kirkby Malzeard - Erection of single storey extension to rear and alterations to fenestration – Davies **Decision A – The Parish Council has no objections.**
- c) 21/00172/REM - Land Comprising OS Field 5419 Galphay Road Kirkby Malzeard - Reserved matters application for the erection of 1 no. dwelling (Appearance, Landscaping, Layout and Scale considered) under Outline Permission 19/03477/OUT – Atkinson **Decision C – The Parish Council does not object to or support the application but wishes to make comments or seek safeguards as set out below.**

- 1 The Parish Council ask that all trees are retained and additional planting is required in the eastern part of the plot to mask as much as possible the view of this development when approaching the village from the east along Ripon Road. The Parish Council wants to ensure that this building is as unobtrusive as possible when viewed long distance from the East.
- 2 When considering the previous applications on Galphay Road, The Parish Council expressed our concerns about the inadequate width and design of the carriageway and footpaths in this vicinity. This now causes serious issues with the flow of traffic on a regular basis and creates a risk to road users and pedestrians. The problem has also

been compounded by the introduction of poorly positioned electric gates serving the two recently constructed houses to the north of the proposed site. We ask again that be a condition that all work necessary to rectify the problems to this full length of road is carried out by the developers. Gates should be set back from the front boundary of the site at such a distance that a vehicle can be parked safely off the highway whilst waiting to enter and exit. Hinged gates should open into the property rather than outwards towards the road.

- 3 The Parish Council were unsure which layout in various plans submitted is proposed – with the house aligned with the road or at a slight angle. In either event, the Parish Council notes that planning permission has been granted for just one house on this site. There was concern that the house was placed in the NW corner of the plot to allow room in future for a second dwelling on the site, for which planning permission has previously been refused and to which we object.

These new houses along Galphay Road, which all are part of the same development, are very noticeable from some miles away. We do not want any further buildings along the Galphay Road that are similarly prominent in the AONB landscape.

**Action – Clerk to submit responses to HBC**

## **10. Planning - Assets of Community Value**

- a) Notification from HBC re Henry Jenkins Public House Assets of Community Value Listing – A written request has been received from an eligible community interest group within the initial moratorium period (21 December 2020 to 31 January 2021) the full moratorium period will now be brought into force. The full moratorium will operate for 6 months from the date the council was informed of an intention to dispose (21 December 2020) ending at midnight on 20 June 2021.
- b) The Parish Council received an update from representatives of the Henry Jenkins Community Pub Ltd (HJCP) and Mr Fielder, the owner of the western part of the premises. HJCP representatives said they are likely to put in a revised bid within the moratorium period and they still intend to try and purchase the whole site. They believe that the growing village needs more community facilities. They also expressed the view that the pandemic has taught us the importance of local community involvement.  
Mr Fielder expressed concern about opening a pub in the current climate, as a large number of pubs are having to close or be sold. He also said that as the pub has now been shut for almost 10 years, its loss is not now a loss of a community facility.
- c) The proposal that the Parish Council nominate The Queen’s Head Pub as an Asset of Community Value was considered and a vote proposed. The vote was in favour of nominating The Queen’s Head Pub as an Asset of Community Value, by 5 votes to 1.

**Action – Cllr Saxon to make the application to HBC on behalf of the Parish Council**

## **11. Planning – Enforcement issues.**

- a) 2 cases, one on going and one new case were discussed.
- b) No updates have been received in regards to ongoing issues.

**Action – Clerk to ask the Enforcement officer to look into both cases**

## **12. Children’s Play Area.**

- a) Cllr Saxon confirmed that there were no new issues with the Play Area.
- b) The Parish Council considered the DTMS quote, for repairs to the wet pour area around the basket roundabout. Cllr Saxon was confident that he could repair the wet pour himself. The Council approved the purchase of some glue to complete the repair.
- c) Cllr Robertshaw has been investigating ways to fund the Play Area improvements. She is currently liaising with HBC. The Parish Council considered whether the Parish Council should apply to the National Lottery for a grant from the “Reaching Communities” Fund and/or other options for the Play Area improvements. It was agreed that this matter will be deferred to the March meeting, in order for Cllr Robertshaw to discuss further with representatives from HBC.

**Action – Put on the March agenda**

**13. Community Helper scheme** – Cllr Aksut updated the Parish Council on the Community Helper Scheme. Posters have been put up to advertise the food support available. People experiencing financial hardship are being advised to contact Citizens Advice Bureau. The charity Warm and Well is available to help anybody who is struggling with heating costs.

**14. Kirkby Malzeard Charity Trust** – Cllr Berry updated the Parish Council on the complaint intended to be made to the Charity Commission. The complaint is now on hold as the Trust’s clerk has agreed to provide the last 2 year’s accounts and it expected the trustees will meet in the near future. It is understood the Charity Trust has agreed to provide a grant to a local resident who has been involved in an accident.

**15. Traffic safety** – Cllr Aksut updated the Parish Council on the ongoing discussions regarding Traffic Safety. The Parish Council’s Traffic Safety action group will meet before the March PC meeting. Engagement posters are currently being designed.

**Action – Put on the March agenda**

**16. Local Organisation grants 2020-21** The Parish Council considered applications for grants from the 2020-2021 fund pool. The funds were allocated to the applicants:

- a) **The Mechanics’ Institute** Allocated £1,000 as a contribution towards repair and re-organisation of the Reading Room in the village hall (estimated total costs £7,500).

- b) **Highside Playing Fields Association** Allocated £1,720 as a contribution towards estimated costs of repairs to the MUGA (£1,000) and cleaning of the tennis courts (£720).
- c) **Kirkby in Bloom** Allocated £800 as a contribution towards estimated costs of the wild flower areas £200, Weed spraying 2x £140, Village tubs and troughs £350 and Public Liability Insurance £75
- d) **Kirkby Malzeard Youth Club** Allocated £650 as a contribution towards the estimated costs of £650 for day trip travel. The PC note that last year's grant of £500 is as yet unspent but is expected to be spent on equipment.
- e) **Kirkby Malzeard Pre-School** It was noted that the PC's last year's grant of £750, a contribution towards re-decoration and provision of new curtains in the classrooms, is not yet spent as this project is not completed (due to Covid restrictions). Once this project is completed PC will then consider the application for £650 to help extend the outside sheltered play area and improve the outside of the building and gardens.
- f) **Friends of Kirkby Malzeard School** It was noted that our last year's grant of £500 to purchase and installation of a cooker and fridge to assist with fund-raising activities has not yet been spent, due to Covid restrictions. The Parish Council were not minded to fund the application of a contribution towards the cost of a defibrillator to have on the school premises at this time. It was felt the one on front of the Mechanic's institute was sufficient for Kirkby.

**17. Laverton Defibrillator** – The Chair is in discussion with a local family in regards to a donation towards a defibrillator for Laverton.

**Action – Put on the March agenda**

## 18. Property Assets

a) Consider monthly condition reports from Councillors.

Asset	Inspected by	Date	Comment
Pinfold	Cllr Aksut	22/02/21	No urgent work required
Market Cross	Cllr Berry	22/02/21	No urgent work required
Greygarth Monument	Cllr Lobley	22/02/21	No urgent work required
Lamberts Quarry	Cllr Lobley	22/02/21	No urgent work required
Laverton Quarry	Cllr Lobley	22/02/21	No urgent work required. Cllr Lobley replaced the fallen stones
Bus Shelter	Cllr Berry	22/02/21	No urgent work required

**19. DTMS Task List** – The increase to £17 in the hourly rate charged by DTMS was considered and approved.

**20. Pinfold** – As the five-year tenancy is up renewal (the current tenant has a right of renewal) consideration was given to the rent which the Parish Council agreed to increase in line with inflation. The Chair will speak to the tenant regarding a new tenancy agreement.

**Action : Chair to speak to tenant and put on the March agenda**

## **21. Highways issues.**

- a) Cllr Aksut Updated the Parish Council on the work schedule for repairs to the Church wall on Church Bank. She has spoken to both Historic England and HBC and will try to arrange a Zoom meeting with both parties to get a better understanding of the problem and the reason for the delay. **Action: Cllr Aksut to liaise with Historic England and HBC and Cllr Saxon will keep the community updated on social media and the website**
- b) Update on existing cases and review of recent work undertaken by NYCC Highways: Salt heaps have now been replenished on Kirkby Moor Road. Chair is in the process of sorting out a salt bin for the West end of Kirkby Malzeard.
- c) No new items were raised by Councillors or public.

## **22. Financial Items:**

- a) The Bank statement was not available due to early meeting date. **Action: Clerk to scan and email to Councillors once it has been received.**
- b) Cash Book. Will be reconciled when the bank statement has been received **Action: Clerk to reconcile and email to Councillors once the bank statement has been received.**
- c) Bank Debit Card – It was agreed and approved that Cllr Berry would apply for a debit card for the Parish Council bank account.
- d) It was agreed and approved that the bank account mandate would be amended to remove Howard Mountain as a signatory and add Cllr Fiona Robertshaw as a signatory on the bank account.
- e) The following payments (including VAT where applicable) were approved.

<b>Payee</b>	<b>Amount</b>	<b>Item Paid For</b>
Clerk Reimbursement	£3.49	Printer Ink
Clerk Reimbursement	£14.39	Zoom Expenses
Visiosoft	£225.00	Annual website hosting and support for 2020-21

**23. Emergency Delegation of Powers to the Clerk.** It was decided that the Council will continue to meet via video conference call for the time being, however should it become necessary, the Council will call an Extraordinary meeting at which point the Standing Order will be invoked to delegate Emergency Powers to the Clerk.

**24. 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 Agenda of next meeting.

- a) A local resident has expressed interest in setting up a neighbourhood watch group.
- b) It has been noted that the amount of dog waste has increased.
- c) A muck spreader with a flat tyre has been left on the side of the road in the village. It was suggested that if the owner cannot be identified it should be reported to the police.

**25. Date of next monthly meeting:** The next monthly meeting is to be held remotely (or at the Mechanics Institute, Kirkby Malzeard, if permissible) on 29<sup>th</sup> March, 2021 starting at 7.30pm. Any items to go on the Agenda should be submitted to the Clerk by 23rd March 2021 please.

Meeting ended at 21:44

Dated 25/02/2021

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