

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING on Monday 28th September 2020 held remotely

The meeting commenced at 7.30pm. Councillors Pippa Manson (Chair), Peter Saxon (Vice-Chair), Geoffrey Berry, Jane Aksut, Howard Mountain and Geoff Loble, together with the Clerk, took part in the video conference with County Cllr Margaret Atkinson and 1 member of the public.

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. The Chair explained that she had reluctantly accepted the resignation of Cllr Brownlee due to pressure of work, as a result, he would not be taking part in the meeting. The Parish Council wishes to thank Cllr Brownlee for all of his work during his time as a Parish Councillor.

Action Chair and Clerk to investigate the procedure to replace Cllr Brownlee

All present confirmed they understood the procedure at remote meetings.

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

None

3. Approve the Minutes of the Parish Council meeting held on 24th August 2020

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

Action: Chair to sign copy of approved Minutes and post to Clerk.

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

a) Neighbourhood Police – Localised Police Report – Information Noted

b) Delta Academies Trust – The trust has updated the Parish Council on their development of Dallowgill Outdoor Centre which is now currently expected to complete January 2021. They are exploring the possibility of purchasing Dallowgill Church to use alongside the activities centre.

5. Urgent updates from County and District Councillors if present.

County Cllr Atkinson reported that it is still unclear how and on what time scale the proposed devolution of North Yorkshire is going to proceed.

6. Planning – recent Applications made to Harrogate Borough Council where the Parish Council are not consulted – for information only:

- a) 20/03035/DISCON - Ringbeck, Ringbeck Road, Kirkby Malzeard - Application for approval of details required under Condition 4 (boundary treatments) of permission no. 20/01220/FUL Division of existing dwellinghouse to form two dwellinghouses, single storey infill extension and extension of domestic curtilage – Clayton Moor.
- b) 20/03307/PNA - Land and Buildings At 422950 475754, Kirkby Malzeard - Steel Portal framed agricultural building – Frankland.

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

- a) 20/02903/FUL - 6 St Andrews Gate, Kirkby Malzeard - Erection of part single and part two storey extension to rear – Weatherer **Decision A – The Parish Council has no objections.**
- b) 20/03121/DVCON - Stone Fold, Main Street, Kirkby Malzeard - Application to vary condition 2 (approved plans) to reduce the size of the proposed garage under planning permission 18/04797/FUL Demolition of existing single & 2 storey extensions, existing garage and outbuildings. Erection of replacement 2 storey extension, garage and store. Installation of new windows and doors – Usmar **Decision A – The Parish Council has no objections.**
- c) 20/03206/FUL - Greystone Edge, Kirkby Moor Road, Kirkby Malzeard - Erection of Holiday Cabin - Gaunt **Decision A – The Parish Council has no objections.**

Action – Clerk to submit responses to HBC

8. Planning – Neighbourhood Plan.

- a) Cllr Mountain provided a brief report on Steering Group meeting held 14.09.2020. The final design of the Public Consultation Document had been discussed in detail and the agreed revisions sent to the printers.
- b) Mrs Anne Hancock was approved by the Parish Council as a new Steering Group member.
- c) The Council approved an estimate of up to £500 for the printing of the Public Consultation document. This was due to an increase in the size of the document.

9. Planning – Enforcement issues.

No new cases were raised. Cllr Mountain updated the Council on current enforcement issues within the Parish.

10. Children's Play Area.

a) Cllr Saxon agreed to take responsibility for the weekly condition check. The Parish Council wishes to offer thanks to Alan Brownlee, who has agreed to continue to empty the bin at the Play Area.

Action: Cllr Saxon to inform Clerk weekly of the condition of the Play Area

- b) Cllr Lobley and Cllr Mountain have successfully repaired the Wet Pour damage under the swing.
- c) Cllr Mountain is waiting to hear whether the Parish Council have been successful in securing a grant from Tarmac, for the Play Area improvements. The Council thanked County Cllr Atkinson for organising the NYCC Locality Grant, which the Parish Council have now received, of £1000 towards the Play Area improvements.

Action: Place on Agenda for October meeting

11. Kirkby Malzeard Charity Trust Update – Cllr Berry, who is a Trustee representing Parish Council on the Trust, reported he has still not received the Kirkby Malzeard Charity Trust accounts from the last 3 years. This is after making several requests for these, last in August 2020, and after also requesting an allocation of funds to potentially support residents in need as a result of the Covid-19 situation, which has also not been received. As a result, Cllr Berry will draft a letter of complaint to the Charity Commission which the Parish Council will consider at the October meeting.

Action: Cllr Berry to draft a letter of complaint. Place on Agenda for October meeting

12. Ivy Bank – The council has received correspondence from residents raising concerns about a double decker bus which is now located on the campsite. Concern has been also raised about some other issues of management of the campsite during the summer. An explanation of several issues apparently caused by the special circumstances of summer holidays after the Covid-19 lockdown has been received from the campsite. The Council would however like to further discuss the matter of the bus with the proprietor.

Action: Cllr Berry and Cllr Aksut to meet with the proprietor and will provide an update at the October meeting

13. Waste bins in Kirkby Malzeard – This item was deferred until the October meeting as the Chair was still waiting for a response from HBC

Action – Place on Agenda for October meeting

14. Laverton Defibrillator – The Parish Council is still awaiting final confirmation from the local resident about the funds raised at a funeral for the provision of a defibrillator earlier in the

year and will continue to liaise over this. Due to the urgent nature of the issue, the Council agreed to explore alternative funding options.

Action - Place on Agenda for October meeting

15. Trees –It is not proved possible as yet, following discussions with neighbour, to determine the ownership of the West boundary of the track from Ringbeck Road to Lambert’s Quarry. Cllr Mountain will ask Hutchinson and Buchanan Solicitors what their costs would be to provide legal advice on this matter. Meanwhile he will ask tree contractors Wards, and a second contractor, to confirm the extent of urgent work to the diseased Ash trees and provide a quote for the work required. As it already known that a dead Rowan tree on West End Green in Kirkby Malzeard needs felling, Cllr Mountain will ask for a separate quote for this from Wards, and if the cost is less than £100, he will instruct them to remove this tree as soon as practical.

Action – Cllr Mountain to obtain legal advice and costings for the October meeting

16. Property Assets

a) Consider monthly condition reports from Councillors.

Asset	Inspected by	Date	Comment
Pinfold	Cllr Aksut	28/09/20	No urgent work required
Market Cross	Cllr Berry	28/09/20	No urgent work required
Greygarth Monument	Cllr Lobley	28/09/20	No urgent work required
Lamberts Quarry	Cllr Mountain	28/09/20	No urgent work required
Laverton Quarry	Cllr Mountain	28/09/20	No urgent work required.
Bus Shelter	Cllr Berry	28/09/20	No urgent work required

b) The expenditure for the replacement sign for Greygarth monument estimated at £27.90 was approved

17. Highways issues.

a) Thieves Gill, Azerley – Work has started to remove gravel on the road.

Swetton Cattle Grid Gate Post and Noisy Grate Main Street Kirkby – Cllr Mountain will check on progress of these matters with Highways and raise the issue of vehicles grounding when crossing Laverton Bridge.

Church Bank - The Parish Council has been advised by Harrogate Council that there is likely to be a further delay to the commencement of the proposed works as concerns have now been raised by Historic England about the finished appearance of the repair scheme. The Planning Application had been due to be dealt with early in October but will now have to go before a later Planning Committee for these concerns to be considered, probably on October 28.

Action: Council agreed to write to Harrogate Planning and stress the urgency of the situation.

b) The Chair confirmed that most residents with vegetation overgrowing pavements had dealt with the issue. However, there are still 3 properties on Main Street with trees which have low hanging branches which are possibly impeding pedestrians. As a first step the Council will attempt to contact the relevant residents directly.

The Chair has written to the Dairy in regards to the cars parked on the verge, but has not yet received a response. It was also reported that a car is often parked inconveniently at the pedestrian exit of St Andrews Meadows. The Chair will try to discuss with any known owner.

Action: Chair to follow up correspondence with Dairy and speak to relevant residents if possible

c) No new items were raised by Councillors or public.

18. Financial Items:

a) The Bank statement showed a balance of £15,874.55

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

c) It was agreed that the final tranche of funds for the Local Organisation grants 2019-20 would be distributed as detailed below.

Mechanics Institute Village Hall	£437.50
Highside Playing Field Association	£437.50
Kirkby Malzeard Pre-School	£187.50
Kirkby in Bloom	£187.50
Kirkby Malzeard Youth Club	£125.00
Friends of Kirkby School	£125.00

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

Payee	Amount	Item Paid For
Clerk Reimbursement	£3.49	Printer Ink
Clerk Reimbursement	£14.39	Zoom Expenses
Cllr Mountain Reimbursement	£87.00	Wet pour for the Play Area
DTMS	£60.48	Play Area Inspection March & July
DTMS	£60.48	Caretaker Task List
Highside Playing Fields Association	£37.15	Play Area Rent and Rates
Morgan Estates	£380.00	Grass Cutting

19. 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.

20. 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) Cllr Aksut explained that “95 Alive” were meeting her in the village on 30 September to discuss traffic safety issues.
- b) Cllr Aksut reported that she had had a discussion with “CoLibra”, an organization commissioned by Harrogate BC to review community approaches to the Coronavirus crisis. CoLibra seemed impressed with how our Parish scheme had operated.

21. Date of next monthly meeting: The next monthly meeting is to be held remotely (or at the Mechanics Institute, Kirkby Malzeard, if permissible) on 19th October, 2020 starting at 7.30pm. Any items to go on the Agenda should be submitted to the Clerk by 9th October 2020 please.

The extraordinary meeting which was planned for 12th October, 2020 was postponed.

Dated 06/10/2020

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