

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING on Monday 29th March 2021 held remotely

The meeting commenced at 7.30pm. Councillors Pippa Manson (Chair), Peter Saxon (Vice-Chair), Geoffrey Berry, Fiona Robertshaw Jane Aksut, and Geoff Lobley, 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.

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

Cllr Lobley declared a close association in relation to item 9a. He provided information on this matter but did not vote on the decision.

3. Approve the Minutes of the Parish Council meeting held on 22th February 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 application of 3 candidates for the vacant Laverton Parish Councillor position were considered. The 3 candidates spoke to the Parish Council about what they could offer the Council. After a vote, Chris Floyd was co-opted as a Parish Councillor for Laverton. The Chair thanked all three candidates for their interest.

Action – Clerk to send paperwork to Cllr Floyd.

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

a) Local Resident – Fly tipping – Chair to monitor

b) Local Resident – Dog Waste Issue - Chair to liaise with the resident in looking into some posters/notices.

c) NYCC – 30mph speed limit in Laverton. Noted

- d) Email from the current tenant of the Pinfold – to be considered under Pinfold item below.
Noted
- e) North Yorkshire Police – Localised police report. Noted

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

District Cllr Simms explained that the law to allow councils to meet remotely ends in May, although there is lobbying to extend this.

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:

- a) 20/04686/FUL - 3 Dallow Cottages, Grantley – Demolition of various stores and sheds and erection of replacement building– Laverick. Permitted
- b) 21/00053/FUL - Ringbeck Cottage Ringbeck Road Kirkby Malzeard - Erection of single storey extension to rear and alterations to fenestration – Davies. Permitted
- c) 20/04940/FUL - Laverton Woods House, Laverton Woods, Laverton - Formation of tennis court – Abrahams. Refused

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

- a) 21/00580/FUL - High Swetton, Kirkby Moor Road to Tom Corner Farm, Swetton. Conversion of dwelling to form 2 no. dwelling. Chandler. **Decision A – The Parish Council has no objections.**
- b) 20/02720/RG3 - St Andrews Church, Church Street, Kirkby Malzeard. Repair and rebuild of a retaining wall. Harrogate Borough Council. **Decision C – The Parish Council does not object to or support the application but wishes to make comments:**

1. We consider that there are two issues under consideration: (i) the rebuilding of the wall that has collapsed and (ii) provision to make safe the remaining part of the wall that is vulnerable. This vulnerable part is from the collapsed part to beyond the church tower, as outlined in Mason Clark’s original Heritage Statement, July 2020 (image provided)
2. We dispute the premise that the wall collapsed as a result of a vehicle collision.
3. We believe the wall collapsed after a weekend of heavy rain and we would like reassurance that provision for drainage of water from the graveyard is considered.
4. We support the current plans for the rebuilding of the wall that has collapsed. (Described in Section 5 of Mason Clark’s Heritage Statement, 26th Feb 2021)

5. We understand that HBC Planning has to make a difficult decision between visual impact and safety when considering how to plan for the remaining 30 m of wall that is of concern.
 6. We note the concerns raised by Historic England about the visual impact of parrass plates.
 7. We also note concerns by Mason Clark (Heritage Statement, Feb 2021) that the 30m section remains, '...vulnerable to collapse' (Section 2) and is of '..structural concern' (Section 4).
 8. We also understand that Mason Clark recommends the vulnerable part of the wall should be stabilised before working commences on rebuilding the collapsed part, and we support this view.
 9. We strongly request that the highest priority is given to ensuring further parts of the wall do not collapse in the near future. This is essential because of the proximity of the road, the Primary School entrance and also to make sure we do not have the inconvenience of the road having to be closed again for an extended period.
 10. We understand that the part of the wall that collapsed had been previously repointed and was being monitored when it collapsed. We also understand that monitoring of the vulnerable part of the wall closer to the Church has only started within the last month. We do not consider monitoring at this late stage, after part of the wall has already collapsed during monitoring, to be useful for preventing sudden collapse. For this reason, we support structural intervention on the vulnerable part of the wall, even if this has a visual impact.
 11. We note that the road surface that will be reinstated after completion of works and we ask for this to be repaired to a good standard.
- c) 20/02721/LB - St Andrews Church, Church Street, Kirkby Malzeard. Repair and rebuild of a retaining wall. Harrogate Borough Council. **Decision C – The Parish Council does not object to or support the application but wishes to make comments.** (Comments as under item 9b above)
- d) 20/04706/FUL - North Close Farm Kirkby Malzeard. Erection of general industrial and office building. Mawer. **Decision D – The Parish Council supports the application.**
- e) 21/00181/OUT - Ivy Dene Main Street Kirkby Malzeard. Outline application for a detached dwelling with parking (Demolition of existing garage and workshop) with layout only considered. Palk. **Decision B – The Parish Council objects on the planning grounds set out below.**
1. The Parish Council feels that the development would severely impact the amount of light in neighbouring gardens.
 2. The Parish Council feels the plot of land is too small for a development, including parking, of this size.

3. The Parish Council has safety concerns with vehicles entering and exiting the development onto Back Lane
- f) 21/00613/TPO - Coverdale Back Lane Kirkby Malzeard. Felling of 3 Ash trees of Tree Preservation Order 34/2015. Anderson. **Decision D – The Parish Council supports the application.**

Action – Clerk to submit responses to HBC.

10. Planning - Opportunity to Speak at Harrogate Borough Council's Planning Committee 30 March 2021.

Consider if the Parish Council wishes to be represented re the following applications:

- a) 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 – The Parish Council did not wish to comment further on the comments previously submitted to HBC.
- b) 20/04366/FUL - Mowbray Park Farm, Ripon Road, Kirkby Malzeard - Erection of roof over existing muck store – Atkinson - The Parish Council did not wish to comment further on the comments previously submitted to HBC.

11. Planning – Enforcement issues.

- a) No new matters were raised by Councillors
- b) The Parish Council were updated on 2 ongoing issues.

12. Children’s Play Area.

- a) Cllr Saxon confirmed that there were no new issues with the Play Area.
- b) The DTMS Playground inspection report was noted.
- c) Cllr Robertshaw updated the Council on her research into improving the play area. It was agreed that an action group would be convened to develop ideas including community involvement and that a quote would be obtained for a more natural looking alternative.

Action – Cllr Robertshaw to action – Clerk to place on April agenda.

13. Traffic safety - Cllr Aksut explained the current proposal to have a data logger which would record (anonymously) speed of passing vehicles. This data could be used to inform residents and local businesses of speeds recorded – hopefully to influence driving behaviour. NYCC do not allow a data logger without a speed notification sign attached to be placed next to the highway. We can, however, place it on private land. Six households asked have agreed to have a data logger on their land. The cost of installing the data logger would be covered by an AII grant plus some Parish Council funds. It was decided the Parish Council needed more time to review this proposal. Cllr Aksut will look into any other options available before the Parish Council vote on whether to proceed next month.

Action – Place on April agenda.

14. Nomination of the Queen’s Head Pub as an Asset of Community Value - Cllr Saxon has completed most of the relevant form and will submit once he has obtained some required information from the landlords.

Action – Cllr Saxon to submit once finalised.

15. Laverton Defibrillator – An updated quote for a defibrillator in Laverton will be obtained. A local resident has agreed to fund the defibrillator in memory of her husband. The Parish Council agreed that a plaque could be placed on the Phone Box in his memory.

Action – Place on April agenda.

16. Neighbourhood Plan -

- a) The Steering Group appointments of Cllr Peter Saxon as Chair, Mrs Claire Walker as Vice-Chair and Mr Howard Mountain as Secretary were approved. The resignation of Howard Mountain as member was noted. Cllr Robertshaw and new Cllr Floyd have agreed to join the steering group.
- b) The Parish Council approved the spending of up to £300 on expenditure items.

17. Property Assets

Consider monthly condition reports from Councillors. Cllr Berry has asked that the process of monthly condition report is reviewed at the AGM.

Asset	Inspected by	Date	Comment
Pinfold	Cllr Aksut	29/03/21	No urgent work required
Market Cross	Cllr Berry	29/03/21	No urgent work required
Greygarth Monument	Cllr Lobley	29/03/21	No urgent work required
Lamberts Quarry	Cllr Lobley	29/03/21	No urgent work required
Laverton Quarry	Cllr Lobley	29/03/21	No urgent work required.
Bus Shelter	Cllr Berry	29/03/21	No urgent work required

18. Pinfold – The Council considered some requests from the current tenant some of which the Council were sympathetic to though the Council did not agree to the use of bonfires. The Chair will draft a revised lease for the tenant to consider and the council to approve. The Parish Council agreed a rent increase £130 to £145 per year.

Action – Place on April agenda.

19. Government Consultation on proposals for locally-led reorganisation of Local Government in North Yorkshire - consultation will close on 19th April 2021. The Parish Council agreed not to make a response (Parish Councils are not named consultees.)

20. Highways issues.

- a) Cllr Aksut to post update on the website about the work schedule for repairs to the Church wall on Church Bank.
- b) Clerk to chase NYCC on existing cases.
- c) Cllr Floyd to take the lead on any issues with public rights of way requiring attention.
- d) Concerns have been raised again re vehicle use of Belford Lane/Drift Lane and the drainage ditch near the Jubilee garden.

Chair to investigate

21. Internal Audit arrangements for 2020-21

- a) The appointment of Janet Bennett of Yorkshire Internal Audit Services as Internal Auditor at a cost of £240 was approved.
- b) The effectiveness of Internal Controls prior to completion of Annual Governance Statement were reviewed and approved.

22. Financial Items:

- a) The Bank statement showed a balance of £15,933.64
- b) Cash Book. Reconciliation with bank statement noted by Council.
- c) Cllr Aksut will look into the uncashed cheque for £1 which was issued in payment of the Kirkby Malzeard phonebox.
- 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
V Preston	£208.00	Homeworkers allowance (£4x52 weeks)
YLCA	£417.00	Membership Fees 2021-22
Mike Hurford	£79.46	Neighbourhood Plan Post Box
Cllr Aksut Reimbursement	£31.67	Neighbourhood Plan – Stickers for leaflet
DTMS	£30.60	Playground Inspection – Feb 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.

- a) The Parish Council wishes to thank Dave & Malcolm from D and M who have fixed the door and the leak of the Phone Box in Kirkby Malzeard.
- b) Cllr Saxon has been asked about putting a sign up to direct people to Kirkby Fisheries. He will help the shop research options.
- c) Cllr Aksut has been asked by residents to put the current COVID government regulations on the website.

25. Date of next meetings:

- a) The next monthly meeting is to be held remotely (or at the Mechanics Institute, Kirkby Malzeard, if permissible) on 26th April, 2021 starting at 7.30pm. Any items to go on the Agenda should be submitted to the Clerk by 20th April 2021 please.
- b) The proposed date for the AGM of the Parish Council to be held remotely (or at the Mechanics Institute, Kirkby Malzeard, if permissible) is Tuesday 4 May 2021 starting at 7.30pm
- c) The proposed date for the annual meeting for Laverton and Dallowgill parishes to be held remotely is Monday 5 April 2021 starting at 7.30 pm. The annual meeting for Kirkby Malzeard Parish is to be held remotely on Monday 12 April 2021 starting at 7.30pm

Meeting Ended at 21:30

Dated 05/04/2021

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