

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

MINUTES OF A PARISH COUNCIL MEETING

on Monday 22 August 2022 at 7:20pm for a prompt 7.30pm start in the Annex of the Mechanics Institute, Kirkby Malzeard.

The meeting commenced at 7.30pm. Present: Councillors Pippa Manson (Chair) Chris Floyd (Vice chair), Richard Hughes, Jane Aksut, Jonathan Heap, Geoffrey Berry and Geoff Lobleby along with County Councillor Atkinson, 3 members of the public and the Clerk.

MINUTES

- 1. Welcome. Apologies for absence from Councillors.** None. As a result of information received from YLCA, going forward the PC will approve Councilors' absences.
- 2. Declarations of Disclosable Pecuniary Interest, Other Interests or Close Association**
Cllr Aksut requested a Dispensation to allow her to participate in the discussion and vote in relation to the website. The Dispensation was approved for a period of 4 years.
Cllr Floyd declared a DPI in relation to item 8a. He left the room during this item.
- 3. Approve the Minutes of the Parish Council meeting held on 25th July 2022.** The minutes were approved as a true record and were signed as such by the Chair.
- 4. Correspondence – any urgent items will be raised by the Clerk for consideration and action.**
 - a) Residents – A number of objections have been received in regards to item 8b. These were considered during item 8b.
 - b) North Yorkshire County Council - NORTH YORKSHIRE COUNTY COUNCIL, WILDLIFE AND COUNTRYSIDE ACT 1981, RESTRICTED BYWAYS 15.75/83, 15.70/56, 15.70/57, 15.75/84, GILLGATE ROAD AND APPLEBY LANE, KIRKBY MALZEARD AND LAVERTON MODIFICATION ORDER 2022. The Parish Council note that there are mixed views within the Parish on the proposed restriction of use. The Parish Council also note that there is evidence of occasional recent use of these lanes by motor vehicles.
 - c) SAAA – Consider the option to optout of the SAAA sector led auditor appointment regime. The PC will not optout of the SAAA sector led auditor appointment regime.
 - d) North Yorkshire County Council - Cow Scott Lane - WILDLIFE AND COUNTRYSIDE ACT 1981 APPLICATION NUMBER: HAR-2022-07-DMMO - North Yorkshire County Council has received an application to add this small section of bridleway. The PC supports the application.
- 5. Urgent updates from County and District Councillors if present.**

Cllr Atkinson reported that Richard Flinton has been appointed Chief Executive of the new unitary council. There are a number of working committees working on different areas of the council with the aim of getting everything in place by the 1st April.

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

None

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

- a) 22/01550/LB - Churchby House Church Street Kirkby Malzeard, Listed Building Consent to rebuild partially collapsed garden wall using as much of the original stone as can be salvaged. Roger. Permitted
- b) 22/02151/FUL - Queens Head Main Street Kirkby Malzeard, Proposed internal structural alterations and fenestration works to form self-contained flat dwelling within existing store/outbuilding (ancillary to existing public house). Addition of fencing to rear. Stonegate Group. Permitted
- c) 22/02642/FUL - Ringbeck Cottage Ringbeck Road Kirkby Malzeard, Demolition of the existing single entrance lobby between the main house and garage. Construction of new double height lobby. Replacement balustrade. Spatial Design Studio Ltd. Permitted

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

- a) 22/02909/FUL - Old Vicarage, Dallowgill, Ripon. Conversion of outbuilding into annexe. (Revised scheme). Floyd. **Decision A – The Parish Council has no objections**
- b) 22/02523/FUL - Land Comprising Field At 422825 474333 Back Lane Kirkby Malzeard, Change of use of land to form a holiday site to include the erection of 3no. holiday yurts with associated facilities to include hot tubs, decking, amenity blocks, landscaping, package treatment plant, parking and access (site area 0.35ha). Atkinson **Decision A – The Parish Council has no objections but wishes to make the following comments:** The Parish Council would like the planning department to consider the considerable depth of feeling within the community in regards to this application. There are strong objections surrounding noise. Through discussion with the applicants, the Parish Council have sought assurance that there will be adequate noise mitigation, including planting trees and on-site rules. The Parish Council are encouraged by the efforts that the applicants have put in place to support the environment and also feel that an increase in visitors to the village will bring in further opportunities for current businesses.

- c) 22/03103/FUL - High Walk House Main Street Kirkby Malzeard, Replacement kitchen extension to main house & change of use and conversion of outbuilding to ancillary domestic accommodation attached to main house. Wolsey-Cooper. **Decision A – The Parish Council has no objections**

9. Planning – Enforcement issues.

- a) The Parish Council were given details of a new enforcement issue.
b) There was no updates on current cases.

10. Children’s Play Area.

- a) No issues were reported
b) The quality of recent painting and repairs completed by DTMS was considered and the payment of the invoices was approved.
c) Grass Cutting – The PC have noted that despite an agreement with the HPFA, the play area grass has not been cut to the same standard as the adjoining playing fields.

Action: Cllr Heap to contact HPFA

11. Assets of Community Value – Update from Cllr Aksut on which buildings in the Parish may benefit from listing as Assets of Community Value.

- Queen’s Head – HBC appear to have not received a previous application from the PC.
 - **Action: Add to September agenda**
- Henry Jenkins – it is understood the HJCP will be applying for an ACV on the western part.
- Methodist Church – The PC have been advised that an ACV is not relevant as they don’t protect a building of religious use.

12. Local Business/Enterprise Development working group – The next business development working group meeting is planned for 12th September at 10am in the Parish Church. The meeting is open to everybody. Three well respected consultants will be present and will be available to discuss opportunities for local businesses. A budget of £50 was agreed for meeting expenses.

Cllrs Hughes and Aksut are looking at ways to support our community of local artists and craftspeople including meeting with ArtisOn in Masham for advice on contacts. They are in the process of setting up a meeting with the Director and CEO of Rural Arts. A meeting will be organised for local artisan businesses / artists to discuss ideas and to see what sort of support is needed.

13. Community Minibus - Nidd Hub has secured a grant for minibus to use in a pilot scheme to encourage people to socialise and get out and about. The minibus seats 14, is wheelchair-friendly and trips out include a chaperone from an organisation called 'Befriending Through

Transport'. Cllr Aksut plans to be the initial point of contact to set up a system of sharing planned trips and taking bookings.

14. Kirkby Malzeard Charitable Trust – A letter has been sent to the Chairman and Clerk and copied to all trustees. In the letter the Clerk requested a response by the 19th September.

Action: Add to September agenda

15. Property Assets.

- a) Pinfold – Cotoneaster needs pruning, the Chair and Cllr Berry offered to do this.
- b) The Chair and Cllr Lobley will visit Lambert’s Quarry to look at cutting back required along the right of way.

16. Harrogate BC issues

- a) Litter bin replacement in Kirkby Malzeard – This has now started and a number of new bins are in place.
- b) Barriers beside the Jubilee Garden which may require repair – Clerk will report to HBC.
- c) Laverton Road housing development – the Clerk will request update on commuted sum allocation from HBC.

17. Highways issues.

- a) No update on existing cases was available.
- b) Church Wall – Update from Cllr Aksut – HBC have explained that the work has stopped because of the discovery of a skeleton and as a result, plans have had to be adjusted. There is a meeting on 23/08/22, Cllr Aksut will keep the community informed of the outcome.
- c) Cllr Lobley reported the road surface at the junction of Laverton Road/Kirkby Moor Road is lifting.

Action – Clerk to report to Highways

18. Financial Items:

- a) The Bank statement was not available, the clerk will email this to Councillors when it is received.
- b) The Clerk will reconcile the cash book and send to Councillors when the bank statement has been received.
- c) The following payments (including VAT where applicable) were approved

Payee	Amount	Item Paid For
Cllr Aksut Reimbursement	£100.00	Business Development Group meeting refreshments
Chair Reimbursement	£302.10	Defibrillator Battery
PKF Littlejohn	£240.00	External audit Fee
DTMS	£474.00	Painting of Play Area equipment

DTMS	£529.20	Wet Pour repair – play area
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19. 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 next Agendas.

- Grass Cutting contract comes to an end this year – Add to October meeting
- Meeting for the proposed bi-annual village gala needs organizing.
- Jubilee bunting needs to be taken down - Add to September meeting if not complete
- Consider holding a consultation re Local Organisation Grants - Add to October meeting

20. Date of next meetings:

Date of Next ordinary meeting Monday 26th September 2022 at 7.20pm in the Main Hall of the Mechanics Institute, Kirkby Malzeard. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 20th September 2022 please.

Meeting ended at: 21:25

Dated 24/08/2022

PARISH CLERK: Victoria Preston, 17 Cypress Gardens, Ripon, HG4 2LT (Postal enquiries only) Tel: 07725801675 Email: clerk.kmldpc@outlook.com Agenda, along with General Privacy Notice, also available on the Parish Council website: www.kirkbymalzeardarea.org.uk Facebook: @kmldpc

