

# KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

## MINUTES OF PARISH COUNCIL MEETING

on Monday 28 February 2022 at 7.30pm start at the Main Hall, Mechanics Institute, Kirkby Malzeard

The meeting commenced at 7.30pm. Present: Councillors Pippa Manson (Chair) Geoffrey Berry, Jane Aksut, Chris Floyd, Fiona Robertshaw and Geoff Lobley along with the Clerk, District Cllr Nigel Simms and County Cllr Margaret Atkinson (for part of the meeting) and five members of the public.

### MINUTES

**1. Welcome. Apologies for absence from Councillors – approve reason why unable to take part. Consider as to how the meeting will be conducted under latest Government Covid-19 guidelines.** Apologies were received and approved from Cllr Saxon.

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

Cllr Lobley declared a close association with items 8g and 8j and did not vote in regards to this item. The Chair declared another interest in item 11c. Cllr Robertshaw declared a pecuniary interest in item 8d and left the meeting during this item.

**3. Approve the Minutes of the Parish Council meeting held on 24<sup>th</sup> January 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) **Harrogate Borough Council** - Opportunity to speak letter for Planning Application Ref No 21/04780/RG3 at St Andrews Church. See item 7c and item 7d. Cllr Aksut to put an article on the website detailing the history of this issue.
- b) **Highside Playing Field** – Request for a meeting to discuss the financial situation of the HPFA and possible direct funding. Considered with item 11.
- c) **North Yorkshire County Council** - Informal Consultation for Wildlife and Countryside Act 1981 Definitive Map Modification Order Application No: HAR/2017/05/DMMO. The Parish Council supports the proposal.

**Action: Clerk to email response to NYCC**

- d) **North Yorkshire County Council** – Update on the unitary council. Noted
- e) **Harrogate Borough Council** – Commuted sums spreadsheet. Noted
- f) **Neighbourhood Plan Committee** – Request to make comments on planning applications - Item 8d. The request was withdrawn.
- g) **Harrogate Borough Council** – briefing regarding forthcoming Parish Council elections. Noted
- h) **Residents** - submission of comments on planning applications - Item 8d. Noted

- i) **HBC Planning** – Additional documents now available in the Henry Jenkins Planning application. The Parish Council do not feel that the additional documents address the concerns submitted by the Parish Council.

**Action: Clerk to email planning officer**

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

County Cllr Atkinson updated the Parish Council on the unitary council and the upcoming election.

**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) 21/05326/FUL - Ash Tree Farm, Ringbeck Road To Ash Tree Farm, Kirkby Malzeard - Demolition of summer house and replacement with new garden room. Sykes-Brown. Permitted
- b) 21/04626/FUL - High Croft Laverton Village, Laverton - Erection of 2no. front dormer windows. Evans. Permitted
- c) 21/04780/RG3 - St Andrews Church Church Street Kirkby Malzeard - Repair and rebuild of a retaining wall - Harrogate Borough Council. Permitted
- d) 21/04781/LB - St Andrews Church Church Street Kirkby Malzeard - Repair and rebuild of a retaining wall - Harrogate Borough Council. Permitted

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

- a) 22/00165/PNA - Knott Farm, Dallowgill - New agricultural storage building. Moore. **Decision B – The Parish Council objects on the following planning grounds:**
- The proposed location is completely separate from the curtilage of the other farm buildings and is very visible, on a high piece of ground in an area of open countryside. AONB guidelines and the Harrogate district landscape character assessment for this area (area 9,) are explicit that isolated developments outside existing settlement should be discouraged
  - The proposed entrance from the road is positioned within 10 meters of a very dangerous blind bend.
  - No drainage appears to be planned despite a planned use for cattle. Effluent will drain into the stream and down towards Lady Hill Farm unless an effluent collection system is included.
  - The planning application states that the current farm buildings are subject to flooding. This is not the case.

- b) 22/00343/FUL - Hill Crest Main Street Kirkby Malzeard - Conversion of stores to form a dwellinghouse (C3) to include new access and alterations to wall. Smalley **Decision A – The Parish Council has no objections.**
- c) 22/00450/TPO - Coverdale Back Lane Kirkby Malzeard - Felling of 1 Sycamore (T2), 1 Poplar (T4) and 1 Prunus (T5) within TPO 34/2015 G8/G9. Anderson. **Decision A – The Parish Council has no objections.** Although the Parish Councils request that any tree felled is replaced by the planting of one new tree.
- d) 21/05200/FUL - Autumn House Back Lane Kirkby Malzeard - Change of use of agricultural field to form holiday site to include the erection of 3no. yurts, 3no. wooden amenity blocks, decking, installation of package treatment plant and the formation of hardstanding for parking (Site area 0.15ha). Atkinson **Decision A – The Parish Council has no objections,** although the Parish Council has some concerns in regards to vehicle access but understands that revised plans will be submitted to address this issue. The Parish Council was given details and supports the intention to enhance the environment for wildlife in the area.
- e) 20/04874/REMAJ - Land Comprising Field At 422819 474158 Back Lane Kirkby Malzeard - Reserved matters application for the erection of 33 no. dwellings with appearance, landscaping, layout and scale considered, under Outline permission 17/04308/OUTMAJ. Mulberry Homes Yorkshire. **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.**
- The Parish Council asks that, as this development is going to add significantly to the population of Kirkby Malzeard, ALL the commuted sums arising from this development are allocated to Kirkby Malzeard to support the local community, including the families moving into these new houses. There are particular plans for the Highside Playing Fields, the children's play area, (both located just down Back Lane from the development) village allotments and the Mechanics Institute Village Hall - all of which require support.
  - We also ask that the development is required to minimise its environmental effect on the plot and the surrounding location and after the build provide native planting to provide habitat for birds and other wildlife.
  - We also ask that the street lighting in the development complies with the dark skies initiative.
  - We also reiterate our previous comments submitted 27 January 2021... *(NB: these were sent again to HBC but are not included in these minutes for reasons of space. They are available in KMLDPC Minutes of 25 January 2021)*
- f) 21/05516/FUL - High Pastures, Laverton Road, Kirkby Malzeard - Erection of Garage Block with Boiler Room and Pellet Store. Highside Timber. **Decision A – The Parish Council has no objections.**
- g) 22/00378/FUL - High Swetton Farm Swetton, Erection of agricultural workers dwelling and installation of package treatment plant and demolition of existing agricultural building – Nelson **Decision A – The Parish Council has no objections.**

- h) 22/00491/FUL - St Andrews House Main Street Kirkby Malzeard, Demolition of existing single garage and construction of new two storey double garage with additional accommodation / office above. Dow **Decision A – The Parish Council has no objections.**
- i) 22/00418/FUL - Apple Tree Cottage Church Street Kirkby Malzeard - Demolition of existing single storey extension & erection of replacement extension (Retrospective). Harrison **Decision A – The Parish Council has no objections.**
- j) 22/00379/FUL - High Swetton Swetton - Erection of agricultural livestock building. Nelson **Decision A – The Parish Council has no objections** Although the Parish Council requests that a suitable effluent collection system is included.

## 9. Planning – Enforcement issues.

- a) No new cases were raised.
- b) No update was available on recent cases dealt with by Enforcement Office.

## 10. Neighbourhood Plan - Progress report was noted.

## 11. Local Organisation Grants 2021-22

- a) The Parish Council considered applications for grants from the 2021-2022 fund pool. The following funds were allocated to applicants:

- 1) **Mechanics Institute Village Hall - Allocated £1,000** as a contribution towards new seating in the Reading Room in the village hall.
- 2) **Highside Playing Field Association - Allocated £1,400** as a contribution towards estimated costs of repairs to the pavilion render plinth and external painting (£1,200) and netball / basketball backing board replacement (£200).
- 3) **Kirkby in Bloom - Allocated £800** as a contribution towards estimated costs of the wild flower areas £200, Weed spraying £140, Village tubs and troughs £350 and Public Liability Insurance £75
- 4) **Kirkby Malzeard Bowls Club - Allocated £1,400** as a contribution towards the Bowls Green Renovation Project. Work to be carried out by a turf-care specialist.
- 5) **Kirkby Malzeard History Group - Allocated £100** as a contribution towards the hiring of the Mechanics Institute to enable the group to hold public meetings.

**Action: Clerk to make grant payments**

- b) The Parish Council discussed the HPFA's belief that it had been agreed in the past that part of the precept would be ring fenced for the HPFA. Both the Parish Council and the HPFA will try and find documentation detailing what was discussed in the past re this issue.

**Action: Add to March agenda**

## 12. Children's Play Area.

- a) Cllr Saxon had confirmed that there were no issues with the play area.
- b) Cllr Robertshaw updated the Parish Council on proposed plans for playground improvements. A design has been worked up with the preferred company Playdale, although financing the plan was likely to be difficult. Fund raising options would be considered.

### **13. Kirkby Malzeard Charitable Trust**

- a) Cllrs Berry and Lobley (Parish Council representative trustees on this body) could provide no update on the status of the Trust and its finances as they have been unable to organise a meeting with the Trust. As the Trustees have not apparently met for a considerable time, Cllrs Lobley and Berry will again request a meeting and if this is not available the Parish Council will consider referring the management of the Trust to the Charity Commission.
- b) Discussion on the future of a local field, owned by the Kirkby Malzeard Charitable Trust, and a proposal to convert it into village allotments was deferred.

**Action: Add to March agenda**

**14. Trees** – Cllr Floyd updated the Parish Council on work required to the Parish Council's trees. The work will be undertaken by Mr Blakey and he will focus on the most urgent work first.

**15. Queen's Platinum Jubilee celebrations (June 2022)** – The Chair updated the Parish Council on the wonderful initial progress that has been made by a group planning of the Jubilee celebrations. HBC have confirmed that Church Street will still be closed in early June and therefore we can plan to hold a street party there. Having discussed with the farmer, the Parish Council is able to organize a bonfire at Greygarth Monument. The Parish Council agreed to fund printing of leaflets and a programme of Jubilee events within a budget of £300.

**16. DTMS Task List** – The annual maintenance task list was considered and approved.

**Action: Clerk to send task list to DTMS**

### **17. Property Assets.**

- a) No issues of concern were raised by Councillors or members of the public.

### **18. Highways issues.**

- a) Clerk will contact NYCC highways department and ask for a progress report on Creets Bridge and the bridges at Dallowgill and Laverton.

**Action: Clerk to contact NYCC highways**

- b) No new items to be raised by Councillors or public.

**19. Parish Council elections** – The election will be promoted to residents via the website and posters to encourage people to stand as Parish Councillors in the forthcoming elections.

## 20. Financial Items:

- a) The Bank statement showed a balance of £28,764.42
- b) Cash Book. Reconciliation with bank statement noted by Council.
- c) HP instant ink – Monthly cost increase to £4.49 was noted.
- d) The following payments (including VAT where applicable) were approved.

Payee	Amount	Item Paid For
Andrew Towler Associates	£2040.00	Consultancy support – Neighbourhood plan
Cllr Lobley Reimbursement	£8.56	Playground surface repairs

**21. 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 the Agenda of next meeting.

- Horse manure has been reported on a pavement
- Jubilee Garden – litter left on the bench
- Resident concern re: electric charging cables on the footpaths causing a trip hazard.

**Action: Add to March agenda**

## 22. Parish Meetings:

- a) Kirkby Malzeard parish meeting to be held Monday 14<sup>th</sup> March 2022 at 7.20pm in the Main Hall, Mechanics Institute, Main Street, Kirkby Malzeard
- b) Laverton and Dallowgill Parish meeting to be held Monday 4<sup>th</sup> April at 7:20 at the Methodist Chapel, Dallowgill.

**23. Date of next ordinary meeting:** Monday 28<sup>th</sup> March 2022 at 7.20pm in the Main Hall, Mechanics Institute, Main Street, Kirkby Malzeard. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 22nd March 2022 please.

**Meeting Ended at: 21:50**

Dated 23/02/2022

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

