

**Kirkbymoorside Town Council**  
**Information for meeting on 20 July 2015**

**6. To consider financial matters:**

**a. To approve cheque payments according to the list provided**

50	102896	23	Hedleys Solicitors	Legal advice re KMS sportsfield pitch licence and leases	607.20
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53	102899	11	Sandra Oakins	Moorsider Design	140.00
54	102900	16	Ms Louise P Bolland	Wages	935.90
55	102901	16	Post Office Ltd	Paye	160.01
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					<b><u>£2,667.21</u></b>

**8. To consider and agree Phase 1 of the street lighting upgrades to replace all concrete lighting columns in compliance with NYCC standards and installation of LED lanterns as approved at the meeting on 17th November 2014**

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The third party underwriting is available at a supplementary cost. Advanced leds ltd have been established since 2001 and earlier in the year we received £500,000 equity funding from AngelsDen, an angel investment group, to continue to develop the business. I realise this may not be sufficient reassurance for the council, but it's an indication of our long term plans and viability. I'll find out how much of a supplement the third party underwriting would be if it's something you would be interested in securing?

Best regards,

Chris Castle  
 Business Development Manager  
 advanced leds ltd

**9. Church House and Library**

**a. To receive further information pertaining to the proposal to move the Town Council office to Church House and consider an appropriate response**

**RECEIVED 2 JULY 2015**

Good afternoon Lisa,

Further to Lee's email this morning, here is my response to the Property issues that you raised in your email of 30 June.

☐ I initially wrote to the Diocese on 19/2/15 and my last email to them was on 3/3/15 – both are attached. I don't know the date of the article in question. You will note that the Diocese expect to approve the heads of terms, thus I am unable to contact them again until these are agreed between NYCC and the Town Council.

☐ I have already explained why a licence is required, and why legal costs must be met. I would refer you to my email of 26/5/15.

☐ I'm afraid that NYCC's lease already exists – to add 'the right to sublet on restricted terms subject to not operating any right that would be a burden on the Diocese' would require an equally expensive variation to the lease, which would be unlikely to be agreed (since the

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□ It is not possible to say what NYCC intentions will be upon expiry of the current lease, but I can tell you that the lease expires on 18/2/2069 (there is a break clause every ten years from February 2019).

Once you have considered the matter further, please can you advise whether you wish to accept the revisions to the terms as suggested in my email of 26/5/15.

Regards,

Shaun Wilson

Property Transactions Manager

North Yorkshire County Council

Property Service

Asset Management

01609 535697

**The following information was included for consideration at the meeting dated 15 June, for ease of reference:**

Letter dated 26 May 2015

Dear Shaun,

**Church House, High Market Place, Kirkbymoorside**

Please be advised that the draft Heads of Terms document provided by NYCC in respect of the proposed Town Council office being located at Church House was considered at the meeting of the Town Council on Monday 18<sup>th</sup> May. A number of concerns were raised with regards to the necessity to have a licence at all as opposed to revising the existing Service Level Agreement, which includes the use of the room in question for councillor surgeries.

For your information and for ease of reference the Service Level Agreement was agreed by the Town Council at the meeting dated 19<sup>th</sup> March 2012. Signed copies of the document were returned to County Hall shortly after and will be on file. This document also details the front office service provided by NYCC on behalf of the Town Council at a charge of £1,500 per annum. As discussed in our meeting on 19<sup>th</sup> March with yourself and your colleagues, the Town Council will not have sole occupancy of the room as we will be utilising the space as an office and the librarians will have access through the office in order to open and close the shutters in the childrens library. This further adds to our argument that a revised Service Level Agreement would be more suitable than a licence.

Whilst the Town Council does not feel the need for a licence, which would incur unnecessary costs and legal ramifications, we would like the wording of the Heads of Terms document to be amalgamated to the existing Service Level Agreement, as follows:

Term - it was considered unnecessary to specify a term period as the termination of the agreement is specified as 'subject to three months written notice.'

Licence Fee - to be paid bi-annually, in advance.

Legal Fees – Whilst a revision to the Service Level Agreement will incur considerably less costs, an indication of any costs is needed and clarity of the appropriation of costs to the licensor (NYCC) and the freeholder (Diocese). A ceiling figure would need to be agreed.

Rights Granted – the use of the rooms should be amended to 'between the hours of 0900 and 1700 and additional times in the event of necessity.'

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I would be happy to discuss this matter this you should you have any queries. I look forward to hearing from you.

Yours sincerely,



Lisa Bolland  
Town Clerk

**Email received from Shaun Wilson dated 02/06/2015, 11.12am**

Good morning Lisa,

Thank you for your letter dated 26/5/2015.

I attach for your reference copies of the SLA and 'letter of agreement' which the Town Council and NYCC library service have signed.

With regard to the various points in your letter

- You are correct that the Town Council won't have exclusive occupation of the rooms in question, which is why a Licence is being proposed. (For occupying space exclusively, a lease would be the appropriate legal document.)
- Neither of the attached documents give the TC rights to use the office or meeting room, which is why a licence is required. It is not appropriate to amend the SLA as suggested, since that document is concerned only with the provision of a library service and not for the Town Councils own activities.
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**Email dated 02/06/2015 11.55am:** With regard to Diocese costs, NYCC often face this situation with regard to leases/licence. We agree to meet 'reasonable legal costs' without any way of knowing what they will be. If I talk to library service colleagues, would you be agreeable to your total contribution for legal costs not exceeding £2,000 (Diocese & NYCC). It could well be less.

- Rights granted – I can't agree to this wording, though in practice should an exceptional need arise I'm sure that library staff will be accommodating.
- You will need to speak to Lee Taylor about telephones and internet – it is outside the scope of the licence.
- I am happy to amend the terms to clarify that no contribution towards business rates will be sought.

Can you please advise whether you wish to proceed with a licence based upon these revisions, or whether you would prepare to remain in your existing premises.

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Property Transactions Manager

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Property Service  
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**b. To receive information received from NYCC with regards to the future of the library**

RECEIVED 2 JULY 2015

Morning Lisa

Thanks for getting back to me. Apologies for not getting back to you yesterday, tied up in meetings in Northallerton all day. I've passed your email on to Shaun who will address the property issues.

I can respond to your specific library queries, however it might be useful if we, that is myself, Annette as the local manager, and possibly Chrys Mellor, General Manager, can meet to discuss these concerns...perhaps after the Executive report has been taken on 7 July? It would also be useful if the Stronger Communities representative for Ryedale, Sarah Robinson, comes along to clarify her role and support that could be on offer.

With regards your specific library queries, under the recommended proposals going before the Executive on July 7<sup>th</sup>, any income coming into the building (fines, reservation costs, computer fee, rental/room hire etc) would be retained by the group that takes on the running of the library and would give the group an income stream to offset the running costs. So yes, the contributions from the Town Council and Adult Learning would be paid to the Community-led group.

Currently the total premises costs are £9517 (excl. rates). NYCC are proposing a subsidy of rent (£7000) + 70% of library's 3 yr average utility costs (£1762) minus the income (£8093) (see breakdown below). That means that the NYCC subsidy would be £669). That would leave the group taking on the library with £755 to find (which is the remaining 30% of utilities).

**Response when asked for breakdown of income:**

See below for income figures from Kirkbymoorside so you can see how it is broken down. These are 2014/15 verified figures so differ very slightly from the ones which appeared on the information sheets. These should be taken as indicative as any calculations would be based on latest figures available prior 2017.

**Income**

Fines	1,160	
Fees and charges (DVDs, etc)	1,083	
Computer use	185	
Requests/Reservations	978	
Book sales	218	
Room hire	985	
Photocopying	175	(includes printing)
Retail	791	
Other	2,500	(incl. town council)
<b>Total</b>	<b>8,074</b>	

There are other likely costs (cleaning/phone/ insurance etc) and these would need to be negotiated by the group with any suppliers but experience of other community libraries indicate

that this is in the region of £2700. If current levels of income are maintained then any group taking on the library would need to 'raise' approx. £3500 p.a.

NB. Groups are eligible for rate relief of 80% and this could be 100% at the discretion of the District Council. Consequently the rates are not included in the subsidy calculation.

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If the running of the library is taken over by a community group, then I believe that NYCC would assign the lease to that group. This will mean that the group becomes the tenant rather than NYCC. The consent of the landlord will be required for the assignment and legal fees are likely. Whilst I expect that the community group would be liable for fees, it could be that assistance is available. This is something that Stronger communities may be able to advise on.

Lee Taylor (Management Co-ordinator- East)  
North Yorkshire Library and Information Service  
Scarborough Library and Information Centre  
Vernon Road  
Scarborough  
YO11 2NN  
01609 533588

**10. Moorside Room**

**b. To receive an update from the Town Clerk on management of the Moorside Room**

Date	Booking details
03.06.2015	Exhibition – Kirkbymoorside History Group
06.06.2015 – 07.06.2015	Exhibition – Colin Pearsall
13.06.2015 – 14.06.2015	Exhibition – Colin Pearsall
21.06.2015	5 <sup>th</sup> Birthday Party
14.07.2015	Manor Vale Management Committee meeting
21.07.2015	Installation of blinds by Ryedale Blinds
23.07.2015	Meeting - Moore Stephens
27.07.2015	Meeting – Peacock & Smith
29.07.2015 – 04.08.2015	Exhibition – Hand Embroidered collages and Paintings by Maggie Roberts
05.07.2015	Exhibition - Kirkbymoorside History Group
10.09.2015 – 18.09.2015	Exhibition - 'A Room with A View' by Janet Poole and Elspeth Milnes
23.09.2015	St Catherine's Hospice – Coffee Morning
07.10.2015	Exhibition - Kirkbymoorside History Group

Interest has also been expressed for use for exercise classes and a diabetes clinic both of which will be regular bookings.

**15. To consider and agree to renew the three year contract for the annual service of the church clock at a cost of £456 plus VAT**

Dear Lisa

On checking my records I've noted that we have not yet invoiced you for the annual service of the church clock that was carried out on the 28th April. Before I send the invoice as a valued customer and as a way to say thank you for your custom over the years, I am pleased to be able to write to you with a special renewal offer. For a limited period we are offering our customers that were on a three year contract the opportunity to renew their

contract at 2011 prices, your renewal price remains £456 net plus vat. If you would like to take advantage of this opportunity please let me know so that I can arrange to send the invoice as payment is required in advance as before. If you would prefer to return to an annual contract the cost would be £164.00 & vat. I would appreciate receiving your instructions so that I can sent the appropriate invoice.

Regards  
Barbara Wall - Smith of Derby

**16. To consider and agree an appropriate response to concern raised about the speed of vehicles in Kirkby Mills Estate**

Excessively fast traffic on Kirkby Mills. The traffic has been growing over the years which is expected due the growing businesses but the speed at which some lorries and some cars travel, and have done for some time, is totally unacceptable. A few years ago the police kindly did a couple of speed traps but all that happens is the lads let each other know!! These lorries start to deliver at 6am or earlier, tearing past the houses. There is also traffic (cars) going down to the estate late at night and not returning so who are these people and are they living or sleeping somewhere on the estate?? Please discuss this or advise me to contact Fix My Street to bring this to the attention of Ryedale and NYCC. I appreciate that we cannot put in chicanes or 'dead policeman' due to the size of the lorries but something has to be done to protect the noise levels and safety of the residents.

Resident of Kirby Mills

**17. To note that the Long Distance Walkers Association (LDWA) annual 100 mile walk will take place in North Yorkshire in May 2017**

Dear Lisa

I write to make your town council aware of a walking event that will be passing through Kirkbymoorside. The Long Distance Walkers Association (LDWA) annual 100 mile walk will take place in North Yorkshire in May 2017.

The LDWA is a non-profit making company which aims to further the interests of those who like long distance walking. It is run by unpaid volunteers, and financed by membership subscriptions. (more information about us is available at [www.ldwa.org.uk](http://www.ldwa.org.uk)).

The Annual 100 mile walk takes place each May, and participants have 48 hours to complete a 100 mile course. To assist them a number of checkpoints and refreshment stations will be set up *en route*. The 100 moves around the UK, and we are delighted to have secured it in North Yorkshire in 2017

There are actually two events. The main event will take place between 10 a.m. Saturday May 27<sup>th</sup> and 10 a.m. Monday May 29<sup>th</sup> 2017, but, to enable some of our volunteer helpers to also complete the walk a 'Marshal's walk' (which also has the

benefit of being a 'dress rehearsal') takes place on the previous bank holiday weekend, which will be April 29<sup>th</sup> to May 1<sup>st</sup>.

Both events will commence, and finish at Malton School and follow a circular route taking in Hovingham, Kirkbymoorside, Rosedale Abbey, Botton, Sleights, Fyling Hall, Goathland, Levisham, Thornton-le-Dale and back Malton. The proposed route is attached (please note that on pages 1-9 as walkers are walking north across these pages they are actually walking from the bottom of each page to the top. On page 16 they will be walking right to left). For Kirkbymoorside please refer to page 6.

The Marshal's walk will have 50-70 participants, while the main event will have up to 500, but as people walk at different speeds they will quickly spread out into a steady stream of people rather than a group. The approximate time that people will be passing through Kirkbymoorside is likely to be between 13.40 and 18.40 on the Saturday of each weekend

Please be assured that we will be respectful of local residents at all times. We will do all we can to ensure there is no disturbance or disruption, and that we will leave the glorious North Yorkshire countryside as we have found it. I would appreciate if you would make people aware of our event as we would not want anyone to be disconcerted by participants passing through. I will write again in early 2017 to bring our event back to your attention.

In the meantime if you have any questions or concerns please don't hesitate to get in touch.

Best Regards  
Steph Carter  
(North Yorkshire LDWA 100 Publicity Officer)  
T:01937 5863643

#### **19. To note receipt of thanks from Ryedale Citizens Advice Bureau**

Dear Kirkbymoorside Town Council

As we prepare our Annual Report we are again reminded of all those who have supported us during the past year, and those who have done so over many previous years. Our Town and Parish Councils are certainly part of this invaluable help, not only to maintain our current service, but also to expand it in line with the increasing demand for our services.

Financial & social burdens on our local community continue to increase, resulting in an even greater need for our advice and guidance. In turn we need to engage and train more volunteers and provide further resources to accommodate this. We at the Bureau are finding that obtaining funding in order to support this increased demand, and indeed to maintain our existing level of service, is becoming more and more difficult. At the commencement of the current financial year we have had to reduce paid staff hours until further funds can be obtained. Thankfully, due to the unrelenting commitment of our volunteers and the voluntary support of the paid staff, we have been able to maintain the same level of service. For these reasons, every contribution to our financial resources is invaluable to us and we take this opportunity to offer our heartfelt thanks for your past support and ask for your continued support whenever possible.

Please look at the details of our activities and achievements over 2014-15 in our Annual Report, which will be available on our Website at [www.ryedalecab.org.uk](http://www.ryedalecab.org.uk) by mid-September 2015. Our Annual General Meeting is to be held at Harrison House, Norton Road, Malton YO17 9RD on Thursday 11 October, to which we extend a warm welcome to all.

May we remind you to let us know of any personnel changes in your Parish/Town Council, either by E-mail at [finance@ryedalecab.cabnet.org.uk](mailto:finance@ryedalecab.cabnet.org.uk), or telephone 01653 692867 to ensure that we continue to keep in touch with you.

We would like you to pass on our message to all members of your Town/ Parish Council and thank you again for your valued help.

With kind regards  
Sue Bywater  
Bureau Manager



**Kirkbymoorside Town Council**  
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03.06.2015	Exhibition – Kirkbymoorside History Group
06.06.2015 – 07.06.2015	Exhibition – Colin Pearsall
13.06.2015 – 14.06.2015	Exhibition – Colin Pearsall
21.06.2015	5 <sup>th</sup> Birthday Party
14.07.2015	Manor Vale Management Committee meeting
21.07.2015	Installation of blinds by Ryedale Blinds
23.07.2015	Meeting - Moore Stephens
27.07.2015	Meeting – Peacock & Smith
29.07.2015 – 04.08.2015	Exhibition – Hand Embroidered collages and Paintings by Maggie Roberts
05.07.2015	Exhibition - Kirkbymoorside History Group
10.09.2015 – 18.09.2015	Exhibition - 'A Room with A View' by Janet Poole and Elspeth Milnes
23.09.2015	St Catherine's Hospice – Coffee Morning
07.10.2015	Exhibition - Kirkbymoorside History Group

Interest has also been expressed for use for exercise classes and a diabetes clinic both of which will be regular bookings.

**15. To consider and agree to renew the three year contract for the annual service of the church clock at a cost of £456 plus VAT**

Dear Lisa

On checking my records I've noted that we have not yet invoiced you for the annual service of the church clock that was carried out on the 28th April. Before I send the invoice as a valued customer and as a way to say thank you for your custom over the years, I am pleased to be able to write to you with a special renewal offer. For a limited period we are offering our customers that were on a three year contract the opportunity to renew their

contract at 2011 prices, your renewal price remains £456 net plus vat. If you would like to take advantage of this opportunity please let me know so that I can arrange to send the invoice as payment is required in advance as before. If you would prefer to return to an annual contract the cost would be £164.00 & vat. I would appreciate receiving your instructions so that I can sent the appropriate invoice.

Regards  
Barbara Wall - Smith of Derby

**16. To consider and agree an appropriate response to concern raised about the speed of vehicles in Kirkby Mills Estate**

Excessively fast traffic on Kirkby Mills. The traffic has been growing over the years which is expected due the growing businesses but the speed at which some lorries and some cars travel, and have done for some time, is totally unacceptable. A few years ago the police kindly did a couple of speed traps but all that happens is the lads let each other know!! These lorries start to deliver at 6am or earlier, tearing past the houses. There is also traffic (cars) going down to the estate late at night and not returning so who are these people and are they living or sleeping somewhere on the estate?? Please discuss this or advise me to contact Fix My Street to bring this to the attention of Ryedale and NYCC. I appreciate that we cannot put in chicanes or 'dead policeman' due to the size of the lorries but something has to be done to protect the noise levels and safety of the residents.

Resident of Kirby Mills

**17. To note that the Long Distance Walkers Association (LDWA) annual 100 mile walk will take place in North Yorkshire in May 2017**

Dear Lisa

I write to make your town council aware of a walking event that will be passing through Kirkbymoorside. The Long Distance Walkers Association (LDWA) annual 100 mile walk will take place in North Yorkshire in May 2017.

The LDWA is a non-profit making company which aims to further the interests of those who like long distance walking. It is run by unpaid volunteers, and financed by membership subscriptions. (more information about us is available at [www.ldwa.org.uk](http://www.ldwa.org.uk)).

The Annual 100 mile walk takes place each May, and participants have 48 hours to complete a 100 mile course. To assist them a number of checkpoints and refreshment stations will be set up *en route*. The 100 moves around the UK, and we are delighted to have secured it in North Yorkshire in 2017

There are actually two events. The main event will take place between 10 a.m. Saturday May 27<sup>th</sup> and 10 a.m. Monday May 29<sup>th</sup> 2017, but, to enable some of our volunteer helpers to also complete the walk a 'Marshal's walk' (which also has the

benefit of being a 'dress rehearsal') takes place on the previous bank holiday weekend, which will be April 29<sup>th</sup> to May 1<sup>st</sup>.

Both events will commence, and finish at Malton School and follow a circular route taking in Hovingham, Kirkbymoorside, Rosedale Abbey, Botton, Sleights, Fyling Hall, Goathland, Levisham, Thornton-le-Dale and back Malton. The proposed route is attached (please note that on pages 1-9 as walkers are walking north across these pages they are actually walking from the bottom of each page to the top. On page 16 they will be walking right to left). For Kirkbymoorside please refer to page 6.

The Marshal's walk will have 50-70 participants, while the main event will have up to 500, but as people walk at different speeds they will quickly spread out into a steady stream of people rather than a group. The approximate time that people will be passing through Kirkbymoorside is likely to be between 13.40 and 18.40 on the Saturday of each weekend

Please be assured that we will be respectful of local residents at all times. We will do all we can to ensure there is no disturbance or disruption, and that we will leave the glorious North Yorkshire countryside as we have found it. I would appreciate if you would make people aware of our event as we would not want anyone to be disconcerted by participants passing through. I will write again in early 2017 to bring our event back to your attention.

In the meantime if you have any questions or concerns please don't hesitate to get in touch.

Best Regards  
Steph Carter  
(North Yorkshire LDWA 100 Publicity Officer)  
T:01937 5863643

#### **19. To note receipt of thanks from Ryedale Citizens Advice Bureau**

Dear Kirkbymoorside Town Council

As we prepare our Annual Report we are again reminded of all those who have supported us during the past year, and those who have done so over many previous years. Our Town and Parish Councils are certainly part of this invaluable help, not only to maintain our current service, but also to expand it in line with the increasing demand for our services.

Financial & social burdens on our local community continue to increase, resulting in an even greater need for our advice and guidance. In turn we need to engage and train more volunteers and provide further resources to accommodate this. We at the Bureau are finding that obtaining funding in order to support this increased demand, and indeed to maintain our existing level of service, is becoming more and more difficult. At the commencement of the current financial year we have had to reduce paid staff hours until further funds can be obtained. Thankfully, due to the unrelenting commitment of our volunteers and the voluntary support of the paid staff, we have been able to maintain the same level of service. For these reasons, every contribution to our financial resources is invaluable to us and we take this opportunity to offer our heartfelt thanks for your past support and ask for your continued support whenever possible.

Please look at the details of our activities and achievements over 2014-15 in our Annual Report, which will be available on our Website at [www.ryedalecab.org.uk](http://www.ryedalecab.org.uk) by mid-September 2015. Our Annual General Meeting is to be held at Harrison House, Norton Road, Malton YO17 9RD on Thursday 11 October, to which we extend a warm welcome to all.

May we remind you to let us know of any personnel changes in your Parish/Town Council, either by E-mail at [finance@ryedalecab.cabnet.org.uk](mailto:finance@ryedalecab.cabnet.org.uk), or telephone 01653 692867 to ensure that we continue to keep in touch with you.

We would like you to pass on our message to all members of your Town/ Parish Council and thank you again for your valued help.

With kind regards  
Sue Bywater  
Bureau Manager