

**Kirkbymoorside Town Council**  
**Information for meeting on 18 June 2018**

**6. Financial Matters**

| Vchr.        | Cheque | Cde. | Name                               | Description  | Amount          |
|--------------|--------|------|------------------------------------|--|-----------------|
| 52           | 103249 | 7    | P R Myers                          | Refurbishment of railings  | 1,778.00        |
| 53           | 103250 | 3    | North Yorkshire County Council     | 2017/18 Street Light Maintenance   | 1,397.75        |
| 54           | 103251 | 13   | Mike Martin                        | Delivery of Moorsider  | 120.00          |
| 60           | 103252 | 1    | Kirkbymoorside Community Library   | Grant to contribute towards the cost of cleaning the library building                | 2,000.00        |
| 61           | 103253 | 1    | Moorbus Community Interest company | Grant to contribute towards the cost of contracts associated with the Moorbus        | 400.00          |
| 62           | 103254 | 1    | Kirkbymoorside History Group       | Grant to contribute towards the cost of the 'Kirkbymoorside Heritage Day 2018' Event | 600.00          |
| 63           | 103255 | 16   | HMRC                               | PAYE & NIC & ENI   | 316.98          |
| <b>TOTAL</b> |        |      |                                    |  | <b>6,612.73</b> |

**Sportsfield Account**

| Vchr.        | Cheque | Cde. | Name                     | Description        | Amount        |
|--------------|--------|------|--------------------------|--------------------|---------------|
| 1            | 100067 | 107  | Ryedale District Council | 18/19 Trade Refuse | 212.83        |
| 45           | 100068 | 106  | Yorkshire Water          | Water & Sewerage   | 86.72         |
| <b>TOTAL</b> |        |      |                          |                    | <b>299.55</b> |

**Mayors Charity Ball – allocated to Town Team Funds Account**

| Vchr.        | Cheque | Cde. | Name                             | Description                               | Amount        |
|--------------|--------|------|----------------------------------|---|---------------|
| 43           | 100002 | 22   | Kirkbymoorside Community Library | Proceeds of the Town Mayor's Charity Ball | 913.25        |
| <b>TOTAL</b> |        |      |                                  |   | <b>913.25</b> |

**9. Black Swan**

- a) **To note that matter of the poor state of the Black Swan has been further escalated by the Ryedale District Council and the proprietor has been requested to carry out works to remedy the poor external condition of the building**

Excerpt from the letter sent by Ryedale District Council:

‘The external appearance of the above named premises has been drawn to our attention and is a source of local concern. This is primarily because of the very poor condition of the external paintwork, windows, and guttering. In addition, as you are probably aware the building is Grade II listed and is located within the designated Kirkbymoorside conservation area. Ryedale District Council has a duty to have special regard for the preservation of listed buildings and also the preservation or enhancement of the character of conservation areas.

The Council is therefore writing to you today because you are the proprietor of the above mentioned premises as identified by the Land Registry. The purpose of this letter is to request that you carry out works to remedy the poor external condition of the building in the near future. I would therefore request that you respond to this letter in writing within the next 7 days setting out your intentions to improve the appearance of the premises. Your letter should be accompanied by a schedule of intended improvement works with a timescale for its delivery on site.

I would advise you that if I do not receive a satisfactory reply to this letter (and prompt progress is not made in terms of remedying the poor external condition of the premises) the Council will have no other option than to take action under Section 215 of the Town and Country Planning Act 1990.’

**b) Pursuant to minute 18026 the extent of RDC's power to enforce repairs to historic buildings is to take action under Section 215 of the Town and Country Planning Act 1990**

215 Power to require proper maintenance of land.

- (1) If it appears to the local planning authority that the amenity of a part of their area, or of an adjoining area, is adversely affected by the condition of land in their area, they may serve on the owner and occupier of the land a notice under this section.
- (2) The notice shall require such steps for remedying the condition of the land as may be specified in the notice to be taken within such period as may be so specified.
- (3) Subject to the following provisions of this Chapter, the notice shall take effect at the end of such period as may be specified in the notice.
- (4) That period shall not be less than 28 days after the service of the notice.

**c) To note that information has been received from the Operations Manager, LT Management Services Limited, confirming that NewRiver are planning an investment at the Black Swan and are in the process of completing the recruitment process as governed by the Code of Practice**

As stated in our conversation, I can confirm that New River are planning an investment at the Black Swan in Kirbymoorside and we are in the process of completing the recruitment process as governed by the Code of Practice.

We are endeavouring to complete this process as quickly as possible to ensure that the Black Swan returns to its glory within the community.

Samantha Banks MBA

Operations Manager

LT Management Services Limited is a company registered in England and Wales with registered number 02159755 and VAT registered number 974903092. Our registered office is at 31 Haverscroft Industrial Estate, New Road, Attleborough, Norfolk, United Kingdom NR17 1YE.

**10. To note that NYCC Highways have carried out a risk and safety assessment of the 2no. silver birch trees on Piercy End and 1no. silver birch on High Market Place and receive the recommendations of the Tree & Countryside Officer**

In my view, both trees should be removed. The one at the southern end of Piercy End has extensive decay in a number of limbs and these will eventually fail.

The one outside No.43 Penny Piece has been pruned very poorly in the past, which has created a weak union and I would therefore recommend this is also removed.

A third Birch located on Market Place near the junction with Crown Square, though safe and reasonably healthy, is a poor specimen for a street tree so you may want to remove this too. I would recommend replacement of all three with a cylindrical shaped variety such as Hornbeam.

Alan Tomlinson

Tree & Countryside Officer

Environmental Services

Scarborough Borough Council

Manor Road

Scarborough

YO12 7RY

Tel. 01723 374079

**11. To note Yorkshire Housing's intention to sell the block of garages at Ryedale View and to consider relocation of the mosaics from Ryedale View play area**

I'm writing to let you know that it is Yorkshire Housing's intention to sell the block of garages that we currently have at Ryedale View. The reason for this is that the garages are in need of refurbishment and it is not considered economically viable for this work to be completed.

There are 6 mosaics that decorate the play area and mounted onto the back of the garages. They are dated 2008 and are incredibly detailed and beautiful. I wanted to make you aware of them and the possibility of changes to the site in case they need to be preserved or re-sited.

Lucy Jennings

Neighbourhood Officer

Yorkshire Housing Ltd, Stanley Harrison House, Norton Road, Malton, YO17 9RD

Tel: 0345 3664404 (Customer Service Centre)

**12. To note that CPALC is no longer in operation and consider and agree membership to the Local Council Public Advisory Service (LCPAS) at a cost of £200 per annum**

LOCAL COUNCIL PUBLIC ADVISORY SERVICE

Dear Colleagues,

We have over the last four years offered Councils across England details of our training and resources. However, we thought that you may be interested in some of the other services that LCPAS can provide.

We have a dedicated office with full and part time staff, including four Information Audit Officers and a Training Team.

LCPAS helpline is available 9 - 5 Monday to Friday.

**Data Protection Officer Service**

- i. If you are unsure about what you need to do in order to become compliant?
- ii. Would appreciate having someone to talk to and guide you for peace of mind?
- iii. Would you appreciate use of our template packs and bespoke actions plans written for your Council?
- iv. Our DPO service can provide comprehensive support from breaches to access requests and we become the first point of contact for supervisory authorities and for individuals whose data is processed.
- v. We also monitor ongoing compliance and provide up to date guidance.

**Personal Information Audits**

- i. It is recommended that Councils undertake an information audit to identify hard copy personal information
- ii. We cut down huge amount of man hours by undertaking this for Councils
- iii. Risk assess office space and storage
- iv. Audit hard copy document and produce a document with all the locations and files
- v. We undertake a security check of the IT infrastructure and each PC
- vi. We produce a report with recommendations
- vii. Price on application depended on size of Council and assets etc

**Subscription Services**

We offer reliable and consistent advice on all areas of Council work by experts in their field.

We are supported and trusted by 100s of Councils from the smallest parishes to the largest Town Councils

- Unlimited Support Monday - Friday 9am - 5pm
- Legal and Procedural Support
- Solicitor Legal Opinions
- Specialist HR Support
- Specialist VAT and Procurement Support
- Legal Updates and Bulletins
- Access to all our practical packs and subscriber area
- We aim to respond with 24 hours of an email or telephone enquiry (usually the same day)
- Parish Councils £100 and Town Councils £200 per year

### **Peer Reviews**

- i. Our Peer Reviews are designed to take your Council to the next level
- ii. We look at how the Council, staff and assets are managed
- iii. Interview key staff and Councillors
- iv. Help improve practices and address issues
- v. Help improve relations and communication
- vi. Move the Council to a more business like enterprise
- vii. Assess areas where savings can be made or where a better return could be achieved
- viii. Produce a comprehensive report or recommendations and ongoing support
- ix. Price on application dependant on size of Council and assets etc
- x. Job Evaluations and Salary Reviews

We offer this service within our subscription or as a stand alone service

### **Oversight of legal agreement, leases and licences**

We offer this service within our subscription or as a stand alone service

We check through the below, to ensure you understand exactly what you are agreeing to:

- i. Contracts
- ii. Leases
- iii. Service Agreements
- iv. Licences
- v. Legal documents

We produce a report with recommendations and points you need to be aware of @ £50 per document

We also can produce legal documents as above bespoke for your Council (produced by solicitors) @ £150 - £200

### **Planning Applications**

We offer this service within our subscription or as a stand alone service

We have expertise in all areas of the planning process

We offer advice on relevant to:

- i. Individual Applications
- ii. Developments
- iii. Local Plans
- iv. National Planning Policies
- v. Appeals
- vi. Planning Inquiries
- vii. Neighbourhood Plans
- viii. Affordable Housing

- ix. Acquiring land, compulsory purchase
- x. Consent to borrow and raising funds
- xi. Community Right to Bid
- xii. Registering Community Assets

We regularly supply our subscribers with legal updates, topic notes, and notification of changes to standing orders and financial regulations. We also provide plain English summaries of incoming Acts and Bills upon their introduction.

The subscription would cost £200 per annum.

**16. To note receipt of an email submission by a member of the public and the Town Clerk's response addressing all matters raised**

Email submission by a member of the public

This is an enquiry email via <http://www.kirkbymoorsidetowncouncil.gov.uk/>:

Please will you arrange an agenda item for the next T.C. meeting, regarding the present state of the town?

The weed growth throughout the town, particularly in Crown Square and The Shambles is very unsightly and spoils the whole look of our lovely town.

Litter is an issue throughout the town.

Also the state of Black Swan. Please will the T.C. consider contacting the owner, (Newriver Retail (Mantle)Ltd.37, Maddox Street, London

W13 2PP. Contact Name: Mr. Allan Lockhart to see what can be done. It is a Grade 2 listed building, freehold number 09682036.

We realise we should not compare ourselves with our neighbouring market towns but one cannot help but notice how much cleaner and tidier they look.

Town Clerk's response addressing all matters raised

With regards to the issues you have raised these are all in progress with the Town Council.

Weed growth:

At the meeting dated 16th October Weed spraying in the Town Centre was considered and the following Minute recorded:

17107 Weed spraying in the Town Centre

- a) It was noted that NYCC have failed to carry out the annual weed spraying throughout the town centre.
- b) It was noted that a position statement in respect of the provision or retraction of the aforementioned service has not been provided by NYCC. County Cllr Arnold agreed to pursue the matter directly with NYCC Highways to determine the position finitely.
- c) It was agreed that in the first instance NYCC Highways should fulfil the obligation to provide the service of weed spraying throughout the town centre. In the absence of a satisfactory result consideration would be given to adding the annual weed spraying of the town centre to the grounds maintenance schedule and seeking reimbursement from NYCC Highways for the associated costs.

Since then, Peter Garnham, Maintenance Manager, Highways Area 4 Kirby Misperton, NYCC has confirmed that the weed spraying is scheduled to take place in Kirkbymoorside on 28th and 29th June 2018. This information was received at last months meeting.

With regards to the Town Farm car park and gravel area along the length of the wall on exit from the car park, I have negotiated with Ryedale District Council for the clearance exercise to be undertaken by our local contractor and he has been instructed to undertake the works. I don't have a definite date as yet as he has other work obligations but I have asked if it could be a priority.

Black Swan:

The Town Council has no authority to enforce on matters pertaining to private property however, the state of the Black Swan was referred to Ryedale District Council in October last year and it was confirmed by the Community Officer that the matter had been escalated to the Specialist Building Conservation Officer.

At the last meeting on 21st May the Town Council expressed further concerns about the state of the Black Swan and it was proposed that clarification needs to be provided by RDC as to the extent of their power to enforce repairs to historic buildings, in particular any influence that may be applied to address the state of poor repair of the Black Swan.

Subsequently I have received confirmation that the matter has again been escalated at RDC and has had input from Gary Housden. The proprietor has been requested to carry out works to remedy the poor external condition of the building in the very near future, otherwise RDC will have no other option than to take action under Section 215 of the Town and Country Planning Act 1990.

I have also been in contact with the NewRiver Operations Manager for the North East and I hope to have information from her on the future plans for the building, the details of which will be received by the Town Council at the next meeting on 18th June.

Tidy Up:

The first Tidy Up exercise was held on Sunday 13th May coordinated by Cllr Chapman in conjunction with the Environment Group. Posters were on notice boards throughout the town, on the Town Council website and the blog.

At last months meeting it was agreed to support a 'Keep Kirkbymoorside Tidy' campaign proposed by Cllr Chapman to include the following initiatives:

- a) encourage participation by Kirkbymoorside Primary School to run a competition for Keep Kirkbymoorside Tidy posters;
- b) encourage businesses to join in by sweeping outside their premises; and
- c) implement a "stub it, bin it" campaign to stop cigarette butts littering the pavements.

The next litter pick exercise will be in August, date to be confirmed.

I do hope this information goes some way to assuring you that the Town Council is aware of the issues you have raised.