



## KIRKBYMOORSIDE TOWN COUNCIL

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### **Minutes of the meeting of the Kirkbymoorside Town Council held at Church House, Kirkbymoorside, on Monday 20 January 2014 at 7.30 pm**

**Present:** Cllrs P Brewster, J Coughlan, C Dowie (Chairman), D Turlington, S Ward and J Watson.

**Also present:** The Town Clerk, County Councillor Arnold and District Councillor Cousins, guest speaker Janet Waggott CEO at RDC, and 11 members of the public.

Councillor Dowie opened the meeting and welcomed all present giving particular thanks to Janet Waggott for agreeing to attend the meeting and make an address.

#### **13189 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Brampton and Cossins.

#### **13190 DECLARATIONS OF INTEREST**

Cllr Ward declared a personal interest in items 5, 10 and 12 as a member of Ryedale District Council.

#### **13191 MINUTES**

- a) The minutes of the meeting of the Town Council held on 16 December 2013 were **approved** and signed;
- b) There were no matters arising.

#### **13192 PUBLIC SESSION**

No members of the public wished to speak.

#### **13193 PLANNING APPLICATION 13/01314/MOUT by Gladman Developments Ltd**

Information was received from Janet Waggot, CEO at RDC in respect of the ramifications of the new application and clarity was provided on the conflict of the planning history with the adopted Local Plan. The CEO answered questions previously submitted by the Council, details of which are provided in Appendix A. Additional questions were answered from members of the Town Council and the public and details of the timetable for progress of the third planning application and legal challenges associated with Gladman Developments Limited were provided, as follows:

**27 January 2014** - Officer recommendation will be available in relation to the third planning application submitted by Gladman Developments Limited for residential development at Kirkbymoorside.

**4 February 2014** - Special RDC Planning Committee Meeting to determine third planning application submitted by Gladman Developments Limited for residential development at Kirkbymoorside - venue to be Lady Lumleys School, Pickering.

**14 February 2014** - Expiry of 13 week determination period for third planning application.

**28 February 2014** - End date for period when the Judicial Review action pursued by Messrs Shaw and Hewitt is stayed pending outcome of application 13/01314/MOUT.

**7 March 2014** - Deadline for Messrs Shaw and Hewitt to give notification to Leeds High Court to

indicate whether or not they wish to proceed with their Judicial Review case.

**11 April 2014** - Hearing date in the Manchester High Court to hear the case relating to the legal challenge of the Housing Chapter in the Ryedale Local Plan Strategy by Gladman Developments Limited.

Cllr Dowie thanked Ms Waggott very much for answering all the questions and thanks were given for coming to speak to the Town Council and residents of Kirkbymoorside.

#### **13194 DISCUSSIONS WITH DISTRICT AND COUNTY COUNCILLORS**

County Councillor Arnold reported that the consultation on bus service will conclude on 21 January and it was hopeful from the response that services would improve.

District Councillor Cousins reported that a member of the public had raised the issue concerning the absence of sufficient street lighting at the entrance to Castlegate. Cllr Dowie confirmed that this matter has previously been investigated and reiterated the response given by NYCC that the lighting in this area complies with NYCC standards.

County Councillor Arnold was asked to make enquiries with regard to the apparent lack of communication, provision of information and customer care by NYCC in relation to the closing of the C20 for 8 weeks and the associated inconvenience and disruption to members of the public.

District Councillor Ward expressed that she hopes to be able to provide an update on the RDC Budget and Council Tax recommendations at the next meeting.

#### **13195 FINANCIAL MATTERS**

- a) Cheque payments were **approved** and signed.
- b) Financial Summary was **received** for January 2014.
- c) It was agreed to continue paying for the Yorkshire Post at a quarterly subscription charge of £48.75

#### **13196 LEGAL MATTERS**

- a) Information was **received** from the Town Clerk pursuant to minute 13159 dated 18 November 2013 in respect of legal advice on questions concerning Business Rates. It was noted that legal advice would be sought via Hedleys Solicitors at an approximate cost of £600 + VAT plus disbursements.
- b) It was **agreed not** to authorise the Town Clerk to pursue legal advice in respect of “arms-length external organisations” and associated advice at this time. In the first instance it was proposed that investigations be made into the different options available for the running of the former library building and the appropriate action would thereafter be agreed.

#### **13197 FORMER LIBRARY BUILDING**

An update regarding the progress of the works to the former library building was **received**. The councillors were very pleased with the progress of the work and the regular information provided by the contractor.

**13198** It was **noted** that confirmation has been provided by Gary Housden that an assessment of each of the project funding applications has been conducted. Additional information is still pending from one of the applicants and is expected imminently. Mr Housden reiterated that the S106 Funds available to Kirkbymoorside have been contributed by three legal agreements, the conditions of which all differ. Subsequently it is necessary to ensure there is no argument about which of the developer contributions can be used to fund each of the projects. Once this information is verified a written response will be provided to each group individually with a summary of the allocations being provided to the Town Council.

**13199** The specification for the Grounds Maintenance(Cemetery & Play Areas) and Manor Vale Woodland contract was approved and it was agreed to proceed with the tender process in accordance with the Town Council Code of Conduct.

#### **13200 PLANNING**

13/01467/OUT | Erection of a four-bedroom dwelling, flexible B2 workshop/barn and holiday cottage/annex (site area 0.175ha) | Land To Rear of Sunnycroft Village Street Keldholme, Kirkbymoorside.

It was agreed to submit the following comments:

- It is inappropriate to introduce commercial/industrial use into a residential area, which would be the outcome if this application was successful.
- The proposed site falls beyond the linear boundary of the property and encroaches onto the private road.
- Access to the site from Gray Lane is too narrow and considerable measures would need to be taken to ensure clear visibility at this access point in order to make it safe.
- Approval of the application would encourage back-filling.
- All the properties in the vicinity are bungalows and therefore there is concern that the Street Scene will be impaired by introducing a 2 storey property.

14/00006/HOUSE Erection of detached garage/garden equipment store to replace existing detached garage/wood store | Dovecote Keldholme Priory Village Street Keldholme Kirkbymoorside YO62 6LZ

**No comment**

The following planned decision was **noted**:

13/01245/HOUSE | by Mr & Mrs Stead | Hilgay, West Lund Lane, Kirkbymoorside, YO62 6AJ| Erection of single-storey rear extension with steel balustrade, external steps and handrail **Approved**

#### **13201 TOWN MAYOR'S REPORT**

The Mayor reported that she has had no official engagements.

#### **13202 REPORTS FROM REPRESENTATIVES OF THE COUNCIL**

None.

#### **13203 REPORTS ON DELEGATED MATTERS**

None.

#### **13204 TOWN CLERK'S REPORT**

The Town Clerk's report was received.

#### **13205 QUESTIONS TO THE CHAIRMAN**

Cllr Turlington reported that concern had been raised with him in respect of the potential for business to be diverted away from town centre cafes and eateries to the road side café in the A170 layby between Keldholme and Kirkbymoorside. The Town Clerk agreed to make efforts to determine the ownership of the land on which the café is situated in order to establish if it was an NYCC or RDC matter.

Additional concern had been raised in respect of the piles of felled trees accumulating at Cartoft Lodge. The Town Clerk agreed to investigate the matter.

#### **13206 NEXT MEETING**

The next Town Council meeting will be held on Monday 17 February 2014 at 7.30 pm at Church House.

The meeting ended at 9.45pm.