



KIRKBYMOORSIDE TOWN COUNCIL

Church House
7 High Market Place
Kirkbymoorside
YO62 6AT
Tel: 01751 432217

town.clerk@kirkbymoorsidetowncouncil.gov.uk

Minutes of a meeting of the Kirkbymoorside Town Council held remotely via Zoom on Monday 16 November 2020 at 7.00pm

Present: Councillors S Brown (joined the meeting at 7.06pm), J Cossins (joined the meeting 7.10pm), J Coughlan, C Dowie, N Holroyd (Chair), T Shipley, and J Wells.

Also present: District Cllr Riby and Town Clerk L Bolland.

Councillor Holroyd welcomed all present.

20119 Apologies for absence

- a) Apologies for absence given in advance of the meeting were **received** from County Cllr Val Arnold.
- b) There were no reasons given for absence from the meeting.

20120 Declaration of interest was **received** from Cllr Holroyd in respect of agenda item 14.b) IV.

20121 Minutes and Matters Arising

- a) The draft minutes of the meeting held on 19 October 2020 were **received** and **approved**.
- b) There were no matters arising.

20122 There were no members of the public present.

20123 Discussions with Town, District and County Councillors in respect of questions already posed, and any new matters

Cllr Coughlan raised concern about the recent activity involving the erection of a fence at the site to the south of the A170 adjacent to the layby on the A170. The Town Clerk confirmed that the matter has been reported to North Yorkshire County Council as the Highway Authority and Ryedale District Council as the Planning Authority. NYCC have confirmed that they are not aware of any permissions relating to this site. The activity would be a concern for Ryedale District Council from a planning enforcement standpoint, as the fence looks to be being constructed over 1 metre in height, on presumed highway land, and the access shown has no lowered kerb and therefore any use of it will need to be subject to a planning application.

Ryedale District Council Planning Department have confirmed that they are aware of this development and it is a current enforcement case. The case reference is 20/00118/UD

Cllr Brown joined the meeting at 7.06pm.

20124 Financial matters:

- a) A report on the cost of training since the last meeting of the Council, pursuant to minute 20033, was **received**.
- b) The report of accounts paid since the last meeting of the Council was **received** and payments **approved** according to the list provided.
- c) The Financial Summary to 31 October 2020 was **received**.

- d) Payment of £414.22 to Scarborough and Ryedale Carers Resource from the £1000 held for the Community Fridge Project was **approved**. The funds to be allocated from funds received from NYCC Stronger Communities recorded at Vchr 30 dated 28 July 2020 (Minute 20050) Cost Code 99.

Cllr Cossins joined the meeting at 7.10pm.

20125 The term of additional warranty of the Vehicle Activated Traffic Signs (beyond the standard warranty of 24 months) at £150.00 per year per device was considered. Cllr Holroyd expressed dissatisfaction with the content of the warranty document provided by TWM. Cllr Coughlan added that provision of the Standard Terms & Conditions of Sale wherein warranty is covered briefly at item 10 is not a sufficient stipulation of warranty.

Cllr Brown proposed that the extended term of the warranty should be agreed and provision of a Warranty Agreement pursued from TWM. **Agreed.**

Cllr Holroyd proposed the extended term of warranty of three years per device. **Agreed.**

The meeting was paused at 7.16pm when both Cllrs Brown and Holroyd (Chair) lost connection.

Cllr Holroyd rejoined the meeting at 7.19pm and apologised for the interruption caused by an issue with his internet connection. The meeting resumed at 7.20pm with Cllrs Cossins, Coughlan, Dowie, Holroyd (Chair), Shipley, and Wells.

Cllr Dowie proposed that consideration be given at the next meeting to adopting a policy for the chairing of meetings to ensure business continuity in the event of loss of connection by one of more councillors during a meeting. **Agreed.**

(The Town Clerk emailed Cllr Brown at 7.30pm to try and establish communication.)

20126 The Traffic Regulation Order for the 20 mph speed limit on Tinley Garth, Westfields and West End, which was sealed on 6 November 2020 and will come into operation on 19 November 2020 was **received**.

20127 Trees

- a) Information on the Tree Charter was **received**.
- b) The Town Council's position statement regarding tree works that wherever necessary any works should be as conservative as possible to ensure the protection of the local trees (recorded at Minute 19038d) of the meeting dated 17 June 2019) was **reiterated**.
- c) Inclusion to the Town Council's position statement of the intention to plant replacement native trees, in suitable locations, to replace any felled trees was **agreed**.

Cllr Dowie suggested that suitable locations within the parish for the planting of future trees should be identified now, so that any necessary permissions are already agreed, in anticipation of the need for future planting. In the first instance the Town Council could seek permission from NYCC Highways Authority to plant trees at roadside locations that will not impact any nearby residential properties, an example being the verge of the A170 (eastbound) in proximity to the "Welcome to Kirkbymoorside" sign. It was agreed to include consideration of development of the Kirkbymoorside Tree Policy at the December meeting.

- d) The options available for management of tree 0166 at the sports field were **considered**. Cllr Holroyd proposed that additional recommendations and associated costs should be sought and further consideration given at a later meeting. **Agreed.**
- e) The quotation for works as recommended in tree safety assessments for Manor Vale woodland, Old Road play area, Ryedale View play area and the sports field was **received**.
- f) With exception of works to tree 0166, all the quotations for works were **accepted** and the work **agreed**.

20128 Play Areas

- a) The purchase of 6 skate ramp panels (Skatelite Pro Natural 2440 x 1220 x 6mm 6mmx 26mm) at a cost of £960.00 + VAT was **agreed**.
- b) The cost of £60.00 (excluding materials) for works to customise and replace one skate ramp panel was **agreed**.
- c) Cleaning
 - I. The arrangement for annual jet washing of the play equipment at Ryedale View Play area and the toddler play area at Old Road at a cost of £150 and £100 respectively was **noted**. Cllr Dowie explained the matter had come to her attention when a resident posted concerns about the cleanliness of the play equipment at Ryedale View on Facebook. Members of the public should be encouraged to report concerns directly to the Town Council in order that they may be addressed more promptly.
 - II. It was **agreed** to delegate authority to the Town Clerk to arrange additional cleans of the play equipment if necessary, in accordance with Financial Standing Order 3.4.

20129 The application by Kirkbymoorside Tennis Club for the allocation of £1000 from code 30 towards the costs associated with the purchase and installation of wash facilities at the tennis courts, pursuant to Minute 19094c.iv) was considered. Cllrs Dowie, Shipley and Wells raised queries with regards to inclusive accessibility of the facilities to all members of the community. Cllr Holroyd proposed that the queries should be raised with the Tennis Club and consideration of the matter **deferred** to the next meeting. **Agreed**.

20130 The award of £20,000 from the AJ1 Project Road Safety Fund in response to the grant application submitted by the Town Council in partnership with Ryedale Cycle Forum and Kirkbymoorside Environment Group was **noted** and the Document of Understanding **agreed**.

20131 Reopening High Streets Safely Fund

- a) Information on Ryedale District Council's management of the Reopening High Streets Safely Fund was **received**.
- b) The display of Covid signage on selected Town Council owned lamp posts was **agreed**.

20132 Planning

- a) Submission of an Enforcement Request to Ryedale District Council to take Enforcement Action under S215 of the Town and Country Planning Act in respect of the following sites was **considered**:
 - I. Old Highways Depot Manor Vale Lane Kirkbymoorside YO62 6EG

Cllr Shipley explained that there is evidence of works to dismantle the structures on site and raised concern about the absence of any health and safety equipment/practice and the asbestos containing materials are being handled without the appropriate care.

Cllr Coughlan supported the concerns raised by Cllr Shipley and added that there is a further risk of contamination relating to reservoirs underground which remain from the Highways depot works. It is not known if an asbestos survey has been conducted.

Cllr Holroyd proposed that the concern about the health & Safety of the site should be reported to the HSE. **Agreed**.
 - II. Land To North of Wainds Field Kirkbymoorside YO62 6JG

The state of the site was discussed. The site is overgrown with vegetation breaching all boundaries and encroaching all the neighbouring properties. The dilapidated fencing along the footpath together with the encroaching vegetation means that access is restricted and there are safety concerns. The site is undeniable 'untidy' and in need of management.

District Cllr Riby confirmed that he shares the council's concerns about both sites. In respect of the Old Highways Depot site he has previously made enquiries as to the risk assessment that should have been carried out by the vendor (NYCC) at the point of sale, but to date he has made progress with these enquiries. In respect of the land to the north of Wainds Field Cllr Riby confirmed that he has made arrangements to meet with the District Council's Community Officer on site on 25 November. Cllr Riby expressed support of the Town Council's proposal to request enforcement action and offered to make representation to the Planning Officers. Cllr Holroyd thanks District Cllr Riby for his support.

It was **agreed** to submit and request that Ryedale District Council take enforcement action under section 125 of the Town & Country Planning Act in respect of both sites.

b) The following planning applications were **reviewed**:

- I. 20/01012/HOUSE | Installation of replacement front door | 69 West End Kirkbymoorside YO62 6AD – No observations made
- II. 20/01020/HOUSE | Erection of a linking structure between the dwelling and adjacent detached barn used as a hobby studio to allow internal access between them | 8 West End Kirkbymoorside YO62 6AF – No observations made
- III. 20/01021/LBC | External and internal alterations to allow erection of a linking structure between the dwelling and adjacent detached barn used as a hobby studio to allow internal access between them | 8 West End Kirkbymoorside YO62 6AF – No observations made

Cllr Holroyd removed himself from the meeting for discussion of agenda item 14.b) IV. Cllr Coughlan resided as chair for consideration of agenda item 14.b) IV.

- IV. 20/01047/HOUSE | Erection of first floor extension above existing detached garage to form guest accommodation | Duna Cottage Village Street Keldholme Kirkbymoorside North Yorkshire YO62 6NB – No observations made

Cllr Holroyd returned to the meeting and resided as Chair.

- V. 20/01061/LBC | Internal alterations to remove existing loadbearing wall | Clay Hill House Village Street Keldholme Kirkbymoorside YO62 6NB – No observations made

c) Approval of planning application 20/00791/LBC | Erection of rear open sided entrance porch | Rowan Tree Cottage 18 High Market Place Kirkbymoorside North Yorkshire YO62 6BQ was **noted**.

20133 Code of Conduct

- a) The response from Luke Hall MP, Minister for Regional Growth and Local Government to Kevin Hollinrake MP following the Town Council's request that the Committee on Standards in Public Life reviews progress on the implementation of the wider recommendations detailed in its 2019 report on the current ethical framework (Minute 20052d)iv.) was **noted**.

Cllr Cossins left the meeting at 8.05pm.

- b) The further consultation by the Committee for Standards in Public Life (CSPL) was **noted**.
- c) The questions raised in NALC briefing PC13-20 were **considered**. It was **agreed** not to provide a response.

20134 Information of North Yorkshire County Council's proposal for a single unitary council to replace the County Council and the seven district councils was **received**.

Information was received from Ryedale District Council on 14 November detailing their proposal for an East/West local government reform.

The Town Clerk confirmed that details of both proposals are published on the Town Council website.

20135 It was **agreed** to join Local Authorities Climate Action's information network for Low Carbon/Climate Change activities in York and North Yorkshire.

20136 Town Mayor's Report

The Town Mayor attended the Remembrance Service held outside All Saints Church on Sunday 8 November followed by the (socially distanced) laying of the Remembrance wreath on the war memorial. He has accepted the invitation to participate in the opening of the Kirkby Community Fridge on Wednesday 25 November at the Methodist Church.

20137 Member's Reports

There were no reports from Members representing the Town Council at meetings of outside bodies and on delegated matters.

20138 Town Clerk's Report

The clerk joined the review meeting about the Ryedale Hidden Disabilities initiative on 3 November 2020. The initiative has been well received in Helmsley and Kirkbymoorside. In Kirkbymoorside the Sunflowers have been made available for collection from the Moorside Store and the library. Information has been posted on the Town Council website, in The Moorsider and on the town blog, information had been provided to each of the central businesses when the initiative was first launched earlier in the year. Now the libraries across North Yorkshire, including community libraries, are about to officially take up the scheme. This will mean increased awareness and availability from the Ryedale five libraries.

The replacement bowl for the oyster roundabout will be delivered and installed at Old Road play area on Wednesday 18 November.

The Christmas trees for All Saints churchyard and Market Place will be delivered on Sunday 22 November and all lights will be connected in the week commencing 23 November (depending on weather). Thanks were recorded to Holt Farms for the annual contribution of the town Christmas trees and to the volunteers involved in installing and dismantling the lights every year.

There is progress with the proposal for EV charge points in Town Farm car park. Ryedale District Council have secured funding so will be going out to tender for the equipment.

Manor Vale Woodland

Over the past few weeks there has been some storm damage in Manor Vale requiring the removal of fallen branches and a tree that was obstructing the bridle path and damage to the hand rail on the steps leading from the road to Neville's Castle. All works have been authorised by the Town Clerk in accordance with Financial Standing Order 3.4 and works undertaken by the appointed contractor in accordance with the Manor Vale Woodland Maintenance contract specification.

Additionally, the bench in alongside the footpath leading from the golf club entrance to the Ancient Ash is in need to replacement panels. The clerk is looking to source suitable felled wood to replace the panels, if possible, in order that costs are kept to a minimum and the bench material is in keeping with the woodland management plan.

20139 Questions to the Chair

Cllr Dowie referred to the opportunity to submit an 'interesting tree' to the Tree Charter and suggested that the Town Council could submit details of the Ancient Ash in Manor Vale woodland. An additional course of action would be to nominate the Ancient Ash as a significant tree and register it with the woodland trusts 'Ancient Tree Inventory'.

20140 The date of the next scheduled meeting to be held remotely via Zoom at 7pm on Monday 21 December 2020 **noted**.