



KIRKBYMOORSIDE TOWN COUNCIL

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Minutes of a meeting of the Kirkbymoorside Town Council held remotely via Zoom on Monday 15 February 2021 at 7.00pm

Present: Councillors J Coughlan, C Dowie, N Holroyd (Chair), T Shipley, and J Wells.

Also present: District Cllr T Riby, Town Clerk L Bolland and 7 members of the public.

Councillor Holroyd welcomed all present. All participants were asked to mute themselves unless participating in discussion.

20185 Apologies for absence

- a. Apologies for absence given in advance of the meeting were **received** from Cllr Brown and County Cllr Arnold.
- b. Reasons given for absence by Cllr Brown were **approved**.

20186 Cllr Wells made a Declaration of Interest in item 12 on the agenda as a committee member of the Kirkby Community Fridge Group.

20187 Minutes and Matters Arising

- a. The draft minutes of the Meeting held on 18 January 2021 were **received** and **approved**.
- b. There were no matters arising.

20188 Public Session - to allow members of the public to make representations, ask questions and give evidence in respect of any items of business

Cllr Holroyd welcomed members of the public who had joined the meeting to make representations and proposed to revise the agenda order to consider agenda items 7. Planning and 9. Flooding respectively as the next items of business. **Agreed.**

20189 Planning

- a. Review of the Ryedale Plan
 - I. Information in respect of the review of the Ryedale District Council Statement of Community Involvement(SCI) and information about Future Planning Consultation was **received**.
 - II. The closing date of Monday 1 March for comments was **noted**.
 - III. There were no comments on the contents of the existing Statement of Community Involvement, and areas which need to be reviewed.
- b. The following planning applications were **reviewed**:
 - I. 20/01026/FUL | Extension to existing polycarbonate cover to form additional shelter for customers and covered plant display area | Daisy Garden Centre New Road Kirkbymoorside North Yorkshire YO62 6DY **No observations recorded**.
 - II. 20/01230/ADV | Display of 5no. fascia signs, 2no. internally illuminated fascia logo signs, 1no. non illuminated fascia letter sign, 1no. internally illuminated projecting logo sign, 3no. non illuminated

panel signs, 1no. non illuminated banner frame sign, 1no. non illuminated community board sign, 5no. non illuminated post mounted signs and 1no. internally illuminated 4.5 metre totem sign | Co-Op Piercy End Kirkbymoorside

Cllr Dowie enquired as to whether the totem sign would be illuminated 24 hours a day as this could have environmental implications, specifically light pollution. It would be beneficial if the sign is only illuminated during opening hours. Councillors agreed that additional information should be requested.

- III. 21/00049/FUL | Change of use and alterations to stables to form 1no. four bedroom dwelling with associated parking and landscaping | Land At OS Field 04201 Village Street Keldholme Kirkbymoorside North Yorkshire.

Cllr Holroyd invited members of the public to make representation. The applicants provided a summary of the need and specifics of the planning proposal. Representation was made by the associated Planning Consultant who affirmed that it is very hard to find a property that satisfies all the criteria for the extent of needs specific to this unique set of circumstances. The property to which this application has been applied is unique in that it provides the most feasible and affordable opportunity to the applicants.

Cllr Holroyd raised concern about the risk to the applicants of purchase of the property not being realised upon planning approval. The applicants provided assurance that the risk is negligible as the property is owned by the applicant's daughter's therapist so purchase of the property is guaranteed if the planning approval is granted. The Planning Consultant explained that if the Planning Authority feel that justification is only possible due to the personal circumstances associated with an application they they can approve the application conditionally.

It was proposed that the Council should notify the Planning Authority that there is no objection raised to the application. However, should the Planning Authority consider approval of the application, consideration should be given to the imposition of a condition that the permission is subject to the sale of the property by the current owners to the applicants. **Agreed.**

20190 Flooding

- a. Correspondence from residents of Kirby Mills regarding the historical issues relating to flooding was **received.**
- b. The impact of recent flooding at Kirby Mills was considered and it was agreed to contact all the relevant agencies to establish the status of any proposed, pending and/or ongoing plans for works to address the issue. Specifically the status of recommendations as set out in the 'Water Resources Act 1991 Flood Risk Mapping Studies 2002' undertaken by JBA Consulting on behalf of the Environment Agency. Cllr Dowie proposed that appropriate qualified representatives should be invited for a site visit, and residents of the affected properties should be kept informed of developments. Furthermore the findings will affect consideration of any additional developments to the north of Kirby Mills, specifically the proposal for residential development to the land south of Swineherd Lane.

Cllr Holroyd proposed that when sufficient information is available to afford informed deliberation an extraordinary meeting will be held, inviting representatives of the relevant agencies and residents. **Agreed.**

Cllr Dowie explained that she had met with the residents of the bungalow neighbouring the Cornmill who had shown her the manhole in their garden, which has overflowed on numerous occasions when the mains pipe has been overwhelmed by the volume of water. The overflow has been contaminated with foul water which exacerbates the situation and further signifies the need for it to be addressed as the flooding is affecting the water pipes.

Cllr Coughlan proposed that clarity should be sought with regards to funding available from the development of local sites that may contribute towards costs associated with any necessary flood defence mechanisms. **Agreed.**

Additionally, Cllr Coughlan proposed that the Environment Agency should be contacted to ascertain if the sluice gates at Kirby Mills are fully maintained, details of their functionality and who is responsible for clearing silt and debris that may affect its operation. **Agreed.**

20191 There were no questions already posed, and no new matters for discussions with Town Councillors and District Councillor Riby.

20192 Financial matters:

- a. Accounts paid since the last meeting of the Council were **reported** and payments **approved** according to the list provided.
- b. The Financial Summary to 31 January 2021 was **received**.
- c. Renewal of the two year Kapersky Internet Security licence at a cost of £54.99, was **agreed**.

20193 Play Areas

- a. Information on Public Space Protection Orders was **received**. Cllr Shipley expressed frustration that there is often broken glass from alcohol bottles in the play areas and concern about the associated anti-social behaviour being carried out in areas that jeopardise the safety of children. It is hoped that a Public Space Protection Order would provide a safer environment and enable the designated officers to enforce penalties.

Cllr Holroyd commented that the record of reports made to the police and Streetscene of damage caused by unreasonable behaviour in the play areas should support qualification for a PSPO. The Town Council has repeatedly encouraged members of the public to report incidents of anti-social behaviour to 101 and requested increased police patrols of the play areas, which should further support the evidence of need for a PSPO.

The Council **agreed** to pursue application of PSPOs.

- b. Damage to the slide element of the multi-play equipment at Ryedale View play area caused by vandalism and reported to North Yorkshire Police on 1 February 2021, reference NYP-01022021-0372 was **noted**.
- c. The cost of £239.76 + VAT for replacement parts, authorised by the Town Clerk in accordance with Financial Standing Order 3.4 was **noted**. The clerk confirmed that the repairs were carried out on 12 February 2021.
- d. It was **noted** that works are in progress to obtain quotations for the cost of installing a new boardwalk at Ryedale View play area.

Cllr Wells proposed that details of the expenditure incurred by the Town Council as a direct result of vandalism and anti-social behaviour in the play areas should be publicised in order to raise awareness about the financial and social implications. **Agreed.**

20194 Poplar tree 0166 on eastern boundary of the sports field

- a. Information on the condition of the tree and recommendations were **received** from independent qualified professionals.
- b. The quotations for recommended works were considered and appointment of Contractor A **agreed**. The clerk advised that the works would be carried out from the field to the east of the boundary hedge so the pitch will not be affected.

20195 Town Farm car park

- a. It was **noted** that the current suspension to parking charges in Ryedale District Council car parks is a temporary response to the Covid emergency. Pursuant to Minute 20183 additional notices making it clear that the parking charges in Town Farm car park are suspended until 31 March 2021 have been posted on the Town Council website, issued to the town blog and circulated for publication on social media platforms.
- b. Information was **received** from District Councillors Cussons and Riby in response to the suggestion that the period of suspended charges should be extended indefinitely.
- c. Consideration was given to submitting a proposal to Ryedale District Council to negotiate the future management of parking charges applicable to Town Farm car park.

The Town Clerk provided the following information:

- Section 60 of The Road Traffic Regulation Act 1984, that provides the statutory power for Kirkbymoorside Town Council to contribute to the cost of Ryedale District Council providing the car parking provision, if the council chooses to do so
- It is recommended that any financial agreement should be reviewed per council term. The current Council term is to 30 April 2023
- Funds available to the Town Council, without the need for adjustment to the precept, anticipated from the Community Infrastructure Levy payments due to Kirkbymoorside in relation to the development at Wainds Field – 18/01313/MFUL. The total to be paid to Kirkbymoorside Town Council is £32,958.75 (15% of the total) which will be paid in four installments of £8,239.68 over this period. The payment schedule has split the full payment into 4, the first payment is due in August 2021, the next November 2021, the third February 2022 and the last August 2022.
- Town Farm car park average annual income £10,763.66
- Information on the costs associated with enforcement of the car park is still pending from the Economic Development, Business & Partnerships at Ryedale District Council

Cllr Shipley commented that since the suspension of parking charges in Town Farm car park it has been much easier to park in the town centre as more motorists are using the car park.

Cllr Dowie explained that the issue of parking in the town centre has been a concern for a considerable time and if there is the feasibility of an arrangement that would allow free use of Town Farm car park then this should be pursued. She also commented that it would be prudent for Ryedale District Council to address the surfacing and line markings in the car park. Cllr Dowie expressed thanks to the clerk for exploring the options available to the council.

District Cllr Riby expressed support of the proposal for an arrangement that would offer free parking but cautioned the Town Council that any agreement involving shared management of the car park would likely include responsibility for the toilet block. Cllr Dowie explained that historically the Town Council had explored the feasibility of purchasing Town Farm car park but it was not affordable and the purchase would have included the toilet block, which the Town Council is not prepared to take on. Presently any proposal would be to make a contribution to Ryedale District Council in order that free parking can be offered to visitors and residents.

Cllr Coughlan also expressed thanks to the clerk for the information collated, and opined that parking restrictions should remain in place to avoid vehicles being left in the car park indefinitely. Agreed.

Cllr Holroyd proposed that District Cllr Riby make representation to Ryedale District Council to determine if a subsidy by the Town Council to facilitate the indefinite suspension of parking charges in Town Farm car park would be considered. Once interest has been ascertained then a detailed proposal can be formulated. **Agreed.**

20196 Kirkby Community Fridge

- a. Information was **received** from Kirkby Community Fridge. Cllr Wells explained that the project is going from strength to strength. Initially there was confusion with people thinking that it was a “free fridge” but the distinction of it being a “community fridge” to help reduce food waste has since been made and donations/contributions are regularly being received. Food items are provided by Fair Share, at a weekly cost of £20 and the venue has been made available free of charge by the Methodist Church. Until October 2021 the costs are being covered by a grant from DEFRA. Thereafter monies will need to be raised or additional funding secured. Cllr Dowie requested that thanks be conveyed to all the volunteers involved with the Community Fridge and encouraged submission of a grant application to the Town Council to assist with the running costs. Cllr Holroyd requested that the clerk contact County Cllr Arnold who had previously expressed an interest in offering financial support to the project.
- b. Payment of £431.97 being the balance of funds awarded to the project held by the Town Council, to Kirkbymoorside Community Fridge was **authorised**.

20197 YLCA

- a. The following response to the YLCA survey on the power to hold remote meeting was **agreed**:
Does the Council support having a permanent legislative power to hold remote meetings? Yes.
Benefits of holding remote meetings include:
- easy accessibility by members of the public
 - members of the public can participate in the agenda item of interest and then leave the meeting without disruption to the proceedings
 - quorum is not affected by logistical issues affecting councillors physical attendance at a meeting e.g injury or lack of transport
 - business continuity in the event of any situation that means face to face meetings are not possible
- Does the Council support having a permanent legislative power to hold hybrid meetings? Yes.
Hybrid meetings will facilitate attendance by councillors when they are not physically within the parish e.g. when on holiday, therefore ensuring the meeting is quorate. It may also result in the role of councillor appealing to individuals who previously had been unable to physically attend meetings e.g. due to child care arrangements.
- b. It was **noted** that the YLCA Remote Conference will be held on 21 and 22 April 2021 and attendance by the Town Clerk at a cost of £40.00 was **agreed**.

20198 Manor Vale

- a. It was noted that repairs have been carried out by Andrew Hall, NYCC Public Rights of Way Field Officer, to the steps leading from the golf course road to Neville's Castle.
- b. A ceiling budget of £220.00 to cover the cost of purchase and installation of crushed road planings to in-fill the steps was **agreed**.

20199 It was **noted** that the stone walled Kirkbymoorside sign will be relocated and replaced with a gateway sign as specified in the S278 Highways Agreement associated with the development of Manor Woods.

The clerk confirmed that the highway works associated with the Manor Woods development are being managed by the NYCC Development Management Team at County Hall, Northallerton. At present the scheme allows for the 40mph speed limit to be moved a little further out and for a new gateway feature to be formed at this location, which is intended to replace the stone plinth. When the site access and footways are widened the stone plinth would be removed. As a result of some

recent accidents NYCC Highway Authority would no longer look to erect stone plinths close to the edge of the carriageway, the new Kirkbymoorside sign will be mounted on posts that have been impact tested with the current standards.

Due to the historic significance to the town of the existing walled sign the clerk has requested that the stonework be conserved and care taken to remove the sign intact, if at all possible. The feasibility of rebuilding the walled sign at a suitable location in the town, placed well back from the carriageway will be explored. The Kirkbymoorside History Group have been informed of these imminent works. Additionally the sign incorporates a flower bed which is tended by Kirkbymoorside in Bloom. The clerk has requested that provision be made for a flower bed at the base of the new sign.

20200 The temporary closure of Westfields, Planning Notification 00028423, for a period of 3 days between 15 and 17 February 2021 was **noted**.

20201 The draft plan for management of the weir was **received**. Cllr Dowie proposed that during the course of the year additional species of plants should be recorded together with any requirements for their management and preservation as necessary. **Agreed**. Inclusion of the management plan at Section 4.0 of the ground maintenance contract was **agreed**.

Cllr Coughlan explained that the sluice gate at the weir is monitored by the owner of the Cornmill, who opens and closes the gate when necessary. He wished to express thanks to them for carrying out their riparian duty. Additionally, Cllr Coughlan proposed that clarification be sought from the Environment Agency to ascertain whose responsibility it is, and what mechanisms are in place, to clear silt and debris that becomes lodged on the weir and may affect the operation of the sluice gate. **Agreed**.

20202 The Citizen's Advice Service Update was **received**.

20203 Town Clerk's Report

Electric Charge Points in Town Farm car park

Prior to a RDC announcement next week I wanted to inform you of our plans to install 2 x double socket 22kW EV charging points in Town Farm car park. Further to a successful bid for funding to the Office for Zero Emission Vehicles, RDC will installing these units at all long stay car parks in the District by 31 March, supplied by Connected Kerb.

The units will be aimed at providing local residents without access to off-street charging the ability to charge their vehicles, and help transition more of the residential community to acquire an EV. They will also be available to the wider public and visitors to Kirkbymoorside.

The works at Town Farm are scheduled to take place w/c 22nd March including connection works by Northern Powergrid. See attached proposals and location of where the units will be placed, plus a visual of one of the points.

The clerk has been contacted by the occupant of White Cottage with regards to necessary works to pollard the white beam trees in the southeast corner of the sports field.

Cemetery – complaints regarding the state of the cemetery following preparation of a grave for burial. The grave was dug to an insufficient depth of 42” and the contractors had tracked mud across a number of graves instead of following the tarmacked path. The Funeral Directors were contacted and requested to address the matter.

The Town Clerk will be attending the following YLCA training webinars:

'Council Vacancies – filling ordinary and casual vacancies Confirmation' on 17 February 2021

'GRANTS - POLICIES, PROCEDURES & POWERS Confirmation' on 23 February 2021

20204 Town Mayor's Report

The Town Mayor attended the YLCA Ryedale Branch meeting on 2 February 2021 and will be participating in the YLCA training webinar 'Council Vacancies – filling ordinary and casual vacancies Confirmation' on 17 February 2021.

20205 There were no reports from Members representing the Town Council at meetings of outside bodies and on delegated matters since the last meeting.

20206 Questions to the Chair

Cllr Dowie asked if it would be possible to liaise with the cricket and football clubs and ascertain if there are any funding opportunities available to sports organisations to address the drainage of the pitch which is often waterlogged resulting in training sessions and matches having to be relocated to alternative pitches.

20207 It was **agreed** to exclude members of the public from discussion of agenda item 24.

20208 Nominations for the Community Award were received and the recipients **agreed**.

20209 The date of the next meeting, to be held remotely via Zoom, at 7pm on Monday 15 March 2021 was **noted**.

The meeting concluded at 8.49pm.