

**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 15 March 2021 at 7.00pm**

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

**Also present:** County Cllr V Arnold, District Cllr T Riby, Town Clerk L Bolland and 1 member of the public.

**Absent:** Cllr Cossins, District Cllr Cussons

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

**20210** Apologies for absence

- a) Apologies for absence given in advance of the meeting were **received** from Cllr Wells.
- b) Reasons given for absence by Cllr Wells were **approved**.

**20211** No Declarations of Interest were recorded at this time. (Later in the meeting, Cllr Dowie apologised for not declaring an interest earlier and duly declared an interest in agenda item 7. Path for Everyone' prior to discussion of the same.)

**20212** Minutes and Matters Arising

- a) The draft minutes of the Meeting held on 15 February 2021 were **received** and **approved**.
- b) Matters Arising

The Clerk reported the following matters arising from the meeting dated 15 February:

Pursuant to minute 20193 the application process for Public Space Protection Orders specific to the play areas has been initiated. Data is being collated by the Community Officer, James Draper and the Community Civil Enforcement Officer, Karen Nattress has delivered the North Yorkshire Police Anti-Social Behaviour leaflets to the properties overlooking the skate park to encourage any incidents to be reported to the police, which will help towards building data for the PSPO.

Correspondence has been received by a resident in response to the proposal for PSPOs. They explained that the behaviour of the users of the skate park is mostly very good. The exception to this was the incident on 21 December 2021 when some kids had had a party at the skate park and left a considerable mess including broken bottles. However, when the state of the park was flagged up on Facebook several kids volunteered to help tidy it up. Invariably the music is not played loudly and with a little reminder the kids are willing to pick up their litter. The purpose of the correspondence is to voice another side of the kids who use the skate park.

Pursuant to Minute 20206 under Questions to the Chair the football club are liaising with Andy Clay, North Riding FA in order to satisfy the FA requirements for a maintenance grant for pitch drainage. A thorough report of the pitch condition was undertaken in April 2020 and will form the basis of information required to satisfy the application. Additionally the sports clubs have been provided with details of funding opportunities from Sport England.

Cllr Dowie enquired as to whether a response has been received from the Planning Authority to the question raised about whether the the internally illuminated 4.5 metre totem sign detailed on the Planning Application for the Co-Op store would be illuminated 24 hours a day ( 20/01230/ADV). The clerk confirmed that a response was still awaited.

Cllr Dowie asked if there had been any progress liaising with the relevant agencies associated with the flood management in Kirby Mills. The clerk confirmed that liaisons with the relevant agencies in respect of flood management/prevention in Kirby Mills are progressing. An initial response acknowledging awareness of the situation has now been received from the key agencies, being the Environment Agency, NYCC and Yorkshire Water. An update has been circulated to members of the council and the affected residents, to ensure all parties are fully informed. A secondary response addressing the concerns raised is awaited from each of the agencies. The clerk will pursue this and once a dialogue is established as site visit or remote meeting will be co-ordinated, as appropriate/feasible.

Cllr Holroyd proposed that the subject should be revisited as an agenda item for the April meeting. **Agreed.**

Cllr Holroyd welcomed the member of the public who had joined the meeting to make representations and proposed to revise the agenda order to consider agenda item 7. Path for Everyone as the next items of business. **Agreed.**

#### **20213** Path for Everyone

Cllr Dowie apologised for not declaring an interest earlier in the meeting and removed herself from discussion of the agenda item as a member of the Kirkbymoorside Environment Group.

- a) Correspondence from Kirkbymoorside Environment Group, in partnership with Ryedale Cycle Forum, was **received**.
- b) The request for the allocation of a bank account for management of financial transactions associated with the project was **considered**. The clerk confirmed that the request is feasible both practically, as the Town Council can designate an existing account to the management of the funds and legally, in accordance with Section 139(1)(b) of the Local Government Act 1972.<sup>1</sup> In the accounts, it will be necessary to create separate headings in the cash book for the project income and expenditure. In the AGAR, the income and expenditure will be shown as separate income to the precept and expenditure will be included in 'expenditure other than staffing expenses'. The request for the allocation of a bank account for management of financial transactions associated with the project was **agreed**.
- c) The request for match-funding in the amount of £20,000 from the Council's reserve funds was **considered**. The Town Clerk confirmed that the request is feasible. The Town Council has high level of reserves which it would be prudent to earmark to satisfy the explanation provided to the external auditors. The cost of the project to upgrade the Town Council owned street lighting to LED lanterns was completed under budget so there are funds available that had previously been earmarked for this purpose. The request is also feasible legally, in accordance with various legislation.<sup>2</sup>

Cllr Coughlan enquired as to whether the Town Council needed to make financial provision for future upgrades to the street lighting. The Town Clerk confirmed that at present the council has no funds earmarked for this and the exercise of converting to LED lanterns should mean that is not

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<sup>1</sup> Section 139(1)(b) of the Local Government Act 1972, states ...a local council may accept, hold and administer, for the benefit of the inhabitants of the area or some part of it, gifts made for that purpose.

<sup>2</sup> Local Government (Miscellaneous Provisions) Act 1976, s.9; Public Health Act 1875, s.164; Highways Act 1980, ss.43, 50

necessary to make any modifications until there is another advancement in lighting technology. The Town Council can review this position after a period of years.

Cllr Brown proposed the allocation of £20,000 to the 'Path for Everyone' project from the reserve funds. **Agreed.**

Cllr Holroyd congratulated the applicant on progress of the project to date and proposed that information be received at the April meeting on progress of further funding bids associated with the project. **Agreed.**

**20214** Public Session – the member of the public left after making representation of agenda item 7. There were then no members of the public to make representations, ask questions and give evidence in respect of any items of business.

**20215** Discussions with Town, District and County Councillors in respect of questions already posed, and any new matters

County Cllr Arnold reported that NYCC have been busy in preparation of the budget and the devolution proposal. She wished to refer to minute 20196 of the February meeting in respect of the Kirkby Community Fridge and explain that whilst she was unable to attend the February meeting in order to share information that she had made a contribution to the project in January from the 'Locality Budget'. If more funds are available from May 2021 she would be pleased to receive an application to further support the project.

District Cllr Riby reported that he made representation on behalf of the Town Council to the RDC Members at the February P&R meeting. He took the opportunity to raise the issue of the Town Farm car park during the debate regarding parking policy and got undertaking from the Council Leader that any proposals made by the Town Council regarding parking, would be given serious consideration.

**20216** 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 28 February 2021 was **received**.
- c) The cost of £38 for renewal of the garden waste subscription for the cemetery was **noted**.
- d) The Internal Audit Terms of Reference were **reviewed** with no changes made.
- e) The Risk Assessment Strategy was **reviewed** with no changes made.
- f) The Council's Asset Register was **reviewed** and addition of the Derby Quad Recycling bin was **noted**<sup>3</sup>.
- g) Appointment of the internal auditor was **agreed** and provision for the exercise to be carried out in person or remotely depending upon government guidance was **noted**.

**20217** Planning

- a) The following planning applications were **reviewed**:
  - I. 21/00217/73 | Variation of condition 02 of planning approval 20/00784/FUL dated 17.11.2020 - to allow alterations to the design of the cottage ornee | Ravenswick Hall Young Bank Lane Kirkbymoorside YO62 7LT.  
No observations were recorded.
  - II. 21/00128/FUL | Change of use of agricultural land to allow the siting of 3 no. camping pods with associated parking and access track together with erection of sofa barn to be used in connection

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<sup>3</sup> Localism Act 2011, ss.87-108 'Power to nominate assets to be added to a list of assets of community value'

with Deepdale Farm wedding venue (May to Sept) and Airbnb use (Oct - April) | Deep Dale Farm House Village Street Keldholme Kirkbymoorside North Yorkshire YO62 6LE.

No observations were recorded.

b) Planning Application 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

I. It was **noted** that the application will be considered by the Ryedale District Council Planning Committee on 16 March 2021 at 6pm

II. The Officer's report was **received** and it was **noted** that the recommendation for this application will be Refusal

**20218** Quotations for the cost of installing a new boardwalk at Ryedale View play area were **received** and acceptance of Quotation A was **agreed**. Cllr Shipley remarked that the vegetation is very overgrown in the area surrounding the boardwalk and there is a lot of litter and debris in the undergrowth of the wooded area beyond the boardwalk. He asked if it would be possible for the brash to be cleared and the site tidied up when the works to install the new boardwalk was arranged. The clerk confirmed that the works will require clearance of the brambles and present the opportunity to explore what other works might be needed to improve the state of the vegetation in this area.

**20219** Town Farm car park

a) Information on the installation of Electric Vehicle Charge Points was **received**.

b) Information on progress of discussions with Ryedale District Council was **received**. The outline of a proposal to determine if a subsidy to facilitate the indefinite suspension of parking charges in Town Farm car park has been covered in discussion between Cllr Holroyd and the clerk with Amy Thomas and Lauren Hopson-Haw, Ryedale District Council Economic Development & Business Partnerships. It was hoped that, if the car park was made available free of charge there should be reduced enforcement charges and therefore a reduction in the expenses associated with the car park. However, the response from RDC is that enforcement will still be necessary to ensure that vehicles are not parked irresponsibly and that traffic enforcement for the car parks and the roadside parking is carried out in conjunction. Therefore any proposal will not affect the cost of enforcement.

Additionally, the District Council are in the process of finalising the Ryedale Parking Strategy which will determine if there is any feasibility of an arrangement between the Town and District Council.

It was commented that no other town in the District benefits from a tailored arrangement affecting parking charges and therefore it would be problematic to apply a unique approach to management of the car park only in Kirkbymoorside. This suggestion was firmly counter-argued by the assertion that that no other council has taken the initiative to make such a proposal. The Officers made assurance that they would make enquiries and determine the options available to the Town Council. Information will be made available for receipt at the meeting on April 18 2021, which will allow further considerations of the options available.

Cllr Dowie explained that she was very disappointed with the response regarding the need for enforcement in the car park. With the exception of checking the validity parking tickets and permits there is no evidence that the Town Farm car park is monitored to ensure that vehicles are not left overnight. Furthermore, it is increasingly frustrating that since 2017, despite repeated requests by the Town Council, there has been no progress regarding the extension to the free period of parking over the lunch hour and the re-programming of the ticket machines to make this incentive functional.

Cllr Holroyd, having participated in the discussion with Ryedale District Council Officers, said that he was hopeful the information that will be provided for consideration at the April meeting will provide something tangible and constructive that will allow future negotiations.

District Cllr Riby confirmed that the impression he has received from RDC is that they would welcome the opportunity to enter into negotiations with the Town Council.

- c) Cllr Holroyd proposed to defer consideration of a proposal to negotiate the future management of parking charges with Ryedale District Council until the April meeting, upon receipt of further information to enable more informed discussion. **Agreed.**

#### **20220** Devolution

- a) The consultation proposals for locally led reorganisation of Local Government in North Yorkshire by Ministry of Housing, Communities and Local Government were **received**.
- b) Correspondence from Councillor Carl Les, Leader of North Yorkshire County Council was **received**.
- c) Correspondence from Councillor Keane Duncan, Leader of Ryedale District Council was **received**.

#### **20221** Urban grass cutting 2021/22

- a) Correspondence from NYCC Highway Asset Management with regards to the Urban Grass Cutting 2021/22 was **received**.
- b) Continued cutting of the urban highways visibility splays was **agreed** and the annual contribution of £982.62 from NYCC **noted**.

**20222** It was **noted** that arrangements are in progress to secure the planters on West End in situ and signage applied to denote ownership by the Town Council.

**20223** Information was **received** from the Community Safety Officer for Ryedale District regarding the Police, Fire and Crime Commissioner's (PFCC) priorities to ensure people are safe in the community. Cllr Dowie felt that community safety has been more of an issue during the pandemic, particularly during lockdown where many designated 'safe places', such as the library, have been closed. Cllr Holroyd agreed that it is an important issue and proposed that the Community Safety Officer could be invited to the next council meeting in order to encourage a proactive approach to addressing the issue. **Agreed.**

**20224** The Public Wi-fi Usage Report for Q4 was **received**.

**20225** The proposal by Post Office to move the Kirkbymoorside branch to 1 High Market Place, Kirkbymoorside, York, YO62 6AT was **noted**.

**20226** The North York Moors National Park public consultation on the new Management Plan was **noted**.

**20227** It was **noted** that Power for People will be hosting a webinar for councils and organisations to discuss the Community Energy Revolution Campaign at 7pm on 17 March 2021

#### **20228** Town Clerk's Report

In response to concerns raised by Cllr Coughlan about the condition of the public footpath leading east from the north east corner of Old Road play area the clerk referred the matter to the Ravenswick Hall Estate Manager and Andrew Hall, NYCC Public Rights of Way Field Officer. The Estate Manager promptly confirmed that this area of ground had been identified as a problem as

there appears to be a spring of sorts to the left of the path that instead of flowing under the path is going over it. This is carrying mud and water across the path and towards the play area. The intention is to install a new drain and re-stone the pathway.

**20229** Town Mayor's Report

The Mayor attended the YLCA training webinar 'Council Vacancies – filling ordinary and casual vacancies Confirmation', together with the clerk on 17 February 2021. He felt that it was a worthwhile training session and recommended participation on the YLCA webinars.

**20230** There were no reports from Members representing the Town Council at meetings of outside bodies and on delegated matters.

**20231** Questions to the Chair

Cllr Coughlan asked if it would be possible for management of the area of vegetation beyond the woodland path at Ryedale View to be added to the grass cutting schedule for the play area. The Clerk agreed to make enquiries to determine the most appropriate approach and will report back on the matter at the April meeting.

**20232** The date of the next meeting to be held remotely via Zoom at 7pm on Monday 19 April 2021 was **noted**.

The meeting ended at 8.07pm.