

THORNTON LE DALE PARISH COUNCIL

Minutes for Parish Council Meeting No 1
Held Tuesday 7th April at 7-30 pm in the Hill Memorial Institute

PRESENT

The meeting opened at 1930 hrs with Councillors G Acomb (Chairman), J Garbut (Vice Chairman), I Biggins, P Charles, D Porter, A Monkhouse, J Sanderson, Mrs N Baxter (press correspondent) and ten members of the public.

Attending the meeting were two representatives of PARKS, Mr Richard Gunton (Director of PARK Services) and Mr David Smith (Senior Warden) who proceeded to answer questions from Councillors and Public.

Councillor Biggins asked if PARKS intended to carry out work on the path between the car park and Top Wood. His particular concerns were the unfenced six foot drop on one side of the path and barbed wire on the other, both of which could be a danger to the general public and wheelchair users and no signage indicating the steep drop.

Both representatives pointed out that the footpath met present legal requirements as required by Health and Safety. They would look into the problem of barbed wire but as the HA HA is a listed structure putting a fence along it would not be allowed. They intend to look at the area where the HA HA has collapsed and could possibly fence that area but signs indicating the drop would not be put up just as they are not placed on the edge of cliffs and Rights of Way. People must have some responsibility for their own safety.

Councillor Biggins asked why the PC was paying for the electricity, for the lighting in the car park, when the lights do not belong to the PC.

Councillor Acomb said that the Council agreed that the power supply should come from the toilet block when PARKS installed the new light and that the light was for the benefit of the villagers.

Councillor Charles asked why this had not been included in the Minutes.

Mr Gunton pointed out that it had been and he referred to Minute 99, 3rd December 2013.

Councillor Acomb then asked the Council if they wanted the power turning off in the car park until the problem of who was to pay for the electric or a Contract is drawn up between PARKS and Thornton Le Dale PC resolving this conundrum.

The Council was in favour of leaving the lights on.

Councillor Charles asked about the renewal of the Lease for the substation that comes up in October 2016.

Mr Gunton stated that the Lease would be renewed.

Councillor Biggins asked if PARKS were enforcing tickets issued for non payment of parking.

Mr Smith said that we are putting notes on the windscreens of cars stating that they have not complied with parking regulations.

Councillor Biggins then asked why cars parked near the football and cricket fields are not required to pay when other users are.

Mr Smith replied that this was an historic agreement with the sports teams. We are aware that the No. of cars has significantly increased in the past few years due to the increased use of the facilities and we will be dealing with this in the near future.

Councillor Biggins asked why some signs are not allowed to be illuminated when other are and why a satellite dish was asked to be removed from a property when others either side of it were not.

Mr Gunton said he would take these queries back with him and pass it onto the Planning Department and if the Sports Committee make enquiries regarding parking on their land then they would consider this.

Councillor Biggins asked why do PARKS keep the car park if it doesn't make a profit.

Mr Gunton disagreed with this and said that the car park does make a profit.

Councillor Biggins said that if this was the case why can't the charges be reduced so that more people would use it and thus help alleviate the parking problems within the village.

Mr Gunton said that this would not happen as any profit over and above the cost of the upkeep of the car park went into Central coffers to help other areas of the National Parks.

The Chairman thanked Mr Gunton and Mr Smith for attending the meeting.

1 NOTICE OF MEETING

Resolved. That notice of the meeting had been given in accordance with schedule 12 para 10(2) of the Local Government Act, 1972.

2 APOLOGIES

Councillor R Allanson due to illness.

3 MINUTES

Resolved. That the minutes of the following meeting, as circulated and taken as read, be and are hereby accepted as a true record of the proceedings thereat:-

Full Council Meeting No 21 held in the Hill Memorial Institute on Tuesday 3rd March 2015.

The minutes were proposed by Councillor J Garbut and seconded by Councillor D Porter. Four Councillors were in favour, two were not.

4 REPORT FROM COUNTY COUNCILLOR.

No reports this month.

5 PLANNING.

Applicant: Miss E Kendrew NYM/2014/0430/FL

Address: 14 Roxby Terrace

Application: Installation of replacement bay windows with uPVC (retrospective) together with replacement front windows with uPVC

All Councillors were in favour of this application.

Applicant: Mr Leadly NYM/2015/0051/FL

Address: 6A, Prospect Place

Application: Installation of replacement uPVC double glazed windows to front elevation

All Councillors were in favour of this application.

Applicant: A & E Sturdy NYM/2015/0172/NM

Address: Hallgarth Farm, Westgate

Application: Non material amendment to planning approval NYM/2014/0301/LB to allow 1 rooflight to garage wing together with 2 rooflights, erection of 2 flue pipes, ground mounted gas meter box and additional internal stud wall to conversion.

Four Councillors were in favour of this application. Councillors Charles and Biggins registered an interest and therefore did not vote.

Applicant: A & E Sturdy NYM/2015/0173/LB

Address: Hallgarth Farm, Westgate

Application: Variation of condition 2 of listed buildings consent NYM/2014/0302/LB to allow 1 rooflight together with 2 rooflights, erection of 2 flue pipes, ground mounted gas meter box and additional internal stud wall to conversion.

Four Councillors were in favour of this application. Councillors Charles and Biggins registered an interest and therefore did not vote.

Applicant: Trustees of Lady Lumley's NYM/2014/0831/FL
Address: Lady Lumley's Almshouses, Chestnut Avenue
Application: Variation of conditions 2, 3 & 4 of planning approval
NYM/2013/0392/FL to allow stone coursing and amendments to
window and door arrangements to rear.

All Councillors were in favour of this application.

Applicant: Mr & Mrs Campbell NYM/2015/0194/FL
Address: At land to south of Boxtree Cottage, Maltongate
Application: Construction of 2 open market dwellings with associated garages,
access and amenity space.

All Councillors were in favour of this application. Two areas of concern were raised and the Clerk was asked to put this on the form to be sent to PARKS. The two areas of concern were that the lintels should be natural stone and not painted and access onto Maltongate should be looked at by Highways.

Applicant: Star Pub NYM/2015/0158/LB
Address: New Inn, Maltongate
Application: Consent for the display of illuminated and non-illuminated signs
All Councillors were in favour of this application.

Applicant: Mr A Preston NYM/2015/0193/NM
Address: 14 The Rise
Application: Change from conservatory to sunroom and windows in place of door to
gable end.

Concerns were raised concerning this application due to the work on the property having commenced. The Clerk was asked to contact Planning Department regarding this.

6 CORRESPONDENCE

49/15 "In the exercise of his executive functions, when urgent action is required which, in the Clerk's judgment (and, if possible, consultation with the Chairman) cannot be left for the next meeting of the Council to authorise, the Clerk may incur or commit the Council to incurring expenditure not exceeding £ 500.00; the amount and reason for such expenditure to be reported to the next meeting of the Council."

Five of the Councillors present agreed with this. Councillor Biggins did not agree with this and thought a Sub-committee should be organised to deal with this. Resolved.

50/15 Councillor Garbut attended a NYMNPA Planning Committee on Thursday to speak against the new barrier proposed by the Forestry Commission as agreed at our last meeting. He asked if the Council would write a letter stating that we had not been consulted nor received any communication at any time regarding this matter regardless of what the Forestry Commission claims.
The Clerk was asked to write the said letter.

51/15 An application for the post of Caretaker has been received. The Council decided that the Clerk should contact the Community Service Group and find out what hours they will allocate us and what work they can carry out. When this information is received we can then interview the applicant giving him an accurate job description.

52/15 Councillors Porter, Biggins and Charles submitted a request for the following questions to be answered.

a FREEDOM OF INFORMATION REQUEST

Due to the disappearance of the original recording of the March meeting in the post, I would like the following minuted. The Clerk posted the only copy of the recording of the March meeting to Councillor Charles by standard post in an unprotected envelope and it arrived in a ripped standard white envelope and caused a failure to deliver a Freedom of Information Request.

The Clerk explained that this was not the only copy of the minutes and one remains on his main frame computer until the minutes are accepted; the recording is then deleted. He also stated that he had sent a memory stick to his daughter on a monthly basis using a similar envelope as used when posting the stick to Councillor Charles without any problems.

b STANDING ORDERS INTERPRETATION

Councillor Acombs long awaited interpretation of section Unauthorised Activities 64 (a) after the alleged unlawful inspection by two Councillors regarding inspection of rented land in Roxby Road.

Councillor Acomb stated that the inspection was at the request of a parishioner and was not illegal. If you require this in writing he will obtain it from the legal officer at RDC but it will take quite a while due to the time constraints of the election.

Councillor Biggins said he understood about the time situation but would like it in writing.

c ALLOTMENTS

The payment to a person who removed waste from the allotments is on the Agenda for the meeting on 7 April 2015. If the waste has been removed and disposed of by a person who is not authorised by the Environment Agency it has been removed unlawfully. Can the Clerk confirm that the person who removed the material was legally authorised to remove and dispose of it? If not, I do not believe the Council is legally entitled to make a payment for a service that has been provided illegally.

It was also noted that the person removing the rubbish allowed for the rubbish to be set fire and not adhere to the Tenancy and Allotments Rules Appendix 2 as stated on the village website. (FOR WHAT REASON).

The Clerk replied that he was not aware that the person removing the waste did not have the relevant documentation to legally carry out this work and would contact the gentleman concerned regarding this. This company has been removing waste from the allotments for a considerable number of years and the Clerk naturally assumed that the previous incumbents would have satisfied themselves and the Council of any legal requirements regarding transport of waste. The Clerk has no idea why the remaining rubbish was burnt.

d CEMETERY

When is the Clerk arranging for the large heap of rubbish to be removed from the side of the Litch Gate and who with?

Not having being informed of this I have not made any arrangements to remove the said rubbish. At the meeting it was stated that it had been removed.

e DONATING SUMS OF MONEY.

Does the Council ask what benefit to the Council for doing this.

Does the Clerk check, is it a group of people or is it a charitable organisation and has it a constitution.

If we donate without checking we could have a run of people asking for sums of money.

Please provide answer to this at the meeting.

The Council always asks if donating monies is for the good of the village and the parishioners and it is the Councillors who decide whether or not to donate.

f LOCALISM ACT 2011

Does this apply S.29 OF CHAPTER 7 of the Localism Act 2011 (which came into effect on 1 July 2012)

(7)b states a Parish Council must, if it has a website, secure that its register is published on its website.

The Clerk placed a link on the website to Councillors register of interest last year.

Is this correct.

Was the alteration to the standing orders legal with regards to the section regarding filling in forms and recording etc. Is this correct under the above Act. Please provide copies of the section of the legislation that states this.

This legislation was introduced by Eric Pickles, passed on to NALC and then submitted to all Councils to implement this.

g MISC

Please supply the following information on the following at our meeting 7 April 2015 including the date of action and date of any follow up.

1 Light in China Garth Part painted out (reason why) from lighting, if no answer is this vandalism.
Clerk reported this to the relevant authority when asked.

2 Puffin lights audible warning turned off at night.
Received feedback on the 7th April on this and all Councillors have been forwarded this information.

3 Walnut Cottage outcome of member of the public's comments on gates
As previously stated this is not a concern of the Council. If the person contacts planning they will give him the information he requires.

4 Cherry Garth. Was an answer to the question replied to about the flue onto south facing wall?
The question was asked about the flue and also signage relating to CCTV and the reply from PARKS was forwarded to all Councillors. Councillor Biggins was under the impression that all CCTV covered areas should have relevant signs indicating their use. He asked that the Clerk contacts the police regarding this matter.

5 Councillor Porter. Could you please add to the above the two defected lights on Malton Gate & the road sign at the corner of Farmanby Close . You may remember that I have mentioned these problems for the last two months and nothing has been done about it. If we are being ignored then surely the CEO should become involved.
These have been reported and the ref. No. forwarded to the Councillor concerned.

6 The Treasure Trail.
Councillor Garbut is investigating this alleged scam.

53/15 The Clerk was asked to contact the owner of the house in Maltongate where slates have been blown of the roof and some loose tiles are hanging off the roof over the road and are a possible danger to the public.

54/15 The following was reported to me by a member of the public. Bowed wall with crack, down Archway Lane Thornton Le Dale: the wall is bowing out from the top.
Councillor Charles said that this had been like it for a considerable time and did not think it a problem. The Council asked if Paul would have a look at the area of concern and report back to the Clerk.

55/15 Councillor Biggins

a Update on the pinfold /pound.
Councillor Garbut is continuing to collect information from archives regarding this and he will update the Council when he has finished his inquiries.

b Dog waste bin for Peasland.
This was ordered in February.

- 56/15 Do we have NYCC fill our grit bins or do we order in bulk? If so where will it be stored and who and how will we fill the bins in the village?
The Council decided to ask NYCC to fill the grit bins due to us not having a dry storage area and the inconvenience of transporting the grit from its storage site to the bins.

7 FINANCE

- 1 The Council agreed that a sum of £20,000.00 be invested in the Skipton Building Society for a period of two years at 1.66%.
- 2 The Council decided to make a donation of £250.00 to the Alek Malinka Fund.
- 3 The expenses for March were agreed and the Chairman duly counter signed the cheques.

DATE OF NEXT MEETING

Tuesday 12th May at 1900 hrs in the Hill Memorial Institute.

The meeting closed at 2150 hrs.