

Minutes of a Meeting of Middleham Town Council held in Middleham Key Centre on Wednesday, 25 April 2018 at 7.00 pm. (SUBJECT TO APPROVAL AT NEXT COUNCIL MEETING)

Present

The Chairman Cllr Mrs S Fairhurst, Cllr Mrs H Byford, Cllr Mr M Cade, Cllr Mr J Kirkbride, Cllr Mr S Wheeler.

Clerk, Mr D Keep

Members of the public present as shown on the attendance sheet.

Action

1. Open Forum.

The Chairman opened the meeting.

She reminded those present that public participation was permitted at the start of a meeting only and was limited to 15 minutes. Questions or statements would be restricted to items on the agenda and any matters not on the agenda should be raised in advance.

Representatives from A J Productions Ltd talked about their recent activity producing youth theatre in the Dales and establishing a stage school in the Key Centre that was currently undersubscribed and likely to cease unless take-up improved. As a commercial enterprise they aimed to break even on their activities and were seeking financial or marketing support. In response, Councillors suggested where to post additional advertising and schools to approach.

2. Apologies.

Apologies were received from Cllr Mrs L Stocker.

3. Declarations of interest regarding items on the agenda.

Cllr Wheeler declared an interest as an employee of R A Wheeler in items that arose during discussions recorded under minutes 6.3.2 Canaan Lane, 6.3.3 The Busks and 6.3.6 supply of a field gate. Cllrs Kirkbride, Byford and Wheeler declared an interest in agenda item 6.5.3 as members of the MSCWA committee. No other interests were declared in matters on the agenda.

4. Minutes.

4.1 Minutes of the previous council meeting

IT WAS RESOLVED to accept the minutes of the Council meeting held on 28 March 2018 and the confidential extract of a closed session therein as a true and accurate record of the meeting.

4.2 The schedule of agreed actions. The schedule was noted.

5. Confidential and Urgent Items. There were no urgent or confidential matters for consideration at the current meeting requiring recording in the confidential minute.

6. Information/Decision Required

Action

6.1 Councillors report of meetings attended and actions undertaken since the previous meeting. There were no matters to report.

6.2 Casual Vacancy for a Councillor. No request by electors for an election had been received. Accordingly, the vacancy could be filled by co-option and three applications had been received. Two of the candidates were present and made a personal address whilst a third was read by the Clerk on the applicant's behalf. Council held a closed session to discuss the suitability of each candidate, seeking to complement the existing skills of Councillors following which, having been proposed by Cllr Byford and seconded by Cllr Fairhurst:

IT WAS RESOLVED to co-opt Mr Dominic Slay as Councillor and the Clerk would forward the necessary documentation to Mr Wheeler for completion and return. Mr Slay's appointment would commence upon signing the necessary Declaration of Acceptance of Office.

Clerk

The Chairman thanked each of the unsuccessful candidates, referring to the strong field of candidates that had come forward.

6.3 Land Management Issues

6.3.1 Parking outside Harmby House / noise issues. Cllr Byford reported her meeting with the householder at Arkle Cottage. She confirmed that the bollards had been replaced in the correct location; whilst the quality of the mortar work was poor she was not recommending asking the contractor to return. It was unclear whether the cars were accessing past the bollard or from the other side. Council discussed whether it should seek to restrict parking and agreed not to but to request that the Clerk would forward details of the Council's policy on planters to the complainant as this would legitimately restrict access. Cllr Byford also reported that R J Ward Racing had experienced noise nuisance that had disturbed horses since Harmby House's conversion to a 7 bedroom 18 guest holiday letting business. If not satisfactorily resolved, Mr Ward would need to raise this matter with the District Council.

Clerk

6.3.2 Maintenance of Canaan Lane. Extracts from Land Registry Plans showed that the Lane from its junction with Castle Hill alongside Middleham Castle was not registered. A recent email from Mr Sanderson from the cricket club drawing attention to its poor condition was noted. That part of the Lane was used by a private dwelling, the sports ground and several businesses using large vehicles which had caused the damage which required resurfacing to suit the variety of users. Following discussion, it was agreed that Cllr Fairhurst and Cllr Byford would make personal approaches to Mr John and Mr Rodney Tennant, respectively, and regarding joint contributions to carry our repairs. Cllr Wheeler would also obtain estimates from RA wheeler for an initial short-term repair and also a longer term solution.

**Cllr Fairhurst/
Cllr Byford****Cllr Wheeler**

6.3.3 Busks - docks and void filling. Further to email communication between meetings, it was affirmed that no further action was currently required to reinstate the area of cleared docks that appeared to be grassing over. Cllr Wheeler agreed that RA Wheeler would ensure that the void filled by would be seeded. He also undertook to arrange rolling the grass surface in places where it had been churned by recent car parking.

Cllr Wheeler**Cllr Wheeler**

6.3.4 Access across the Busks from Thistledene. Correspondence to the householder over recent months had not been responded to. Council expressed frustration at the continued vehicular use of the western gateway across common land. As no formal right of access existed it was agreed that the entrance should now be blocked by placing large stones across the access point. The Clerk would initially run this proposal past Mr Scott for comment.

Clerk

6.3.5 Consider installing additional waste bins. A town plan kindly marked-up by

Action

Mrs Thompson with the location of existing bins was received. It was noted that the dog bin in Canaan Lane, Middleham was in need of replacement and that there was not a dog bin along the western end of Park Lane. It was also suggested that a small recycling bin could be installed outside or very near to the Primary School, if such a bin can be provided by RDC.

Clerk

6.3.6 Replacement gate for Sports Field Paddock. Mr Murray who rents the paddock had submitted an estimate for a replacement gate from Norman Iveson in the sum of £204.44 inclusive of VAT. Cllr Wheeler offered to supply and fit, free of charge, a suitable previously-used gate that RA Wheeler had obtained. This generous offer was gratefully received. Cllr Wheeler would also speak to Mr Murray about why the gate was not locked.

Cllr Wheeler**Cllr Wheeler**

Council questioned whether the landlord was responsible for such expenditure. The Clerk advised that the terms of most of the Council's tenancies were unclear and he was requested to obtain some standard wordings from Scotts Solicitors that might be adopted.

Clerk

Cllr Wheeler also offered another used gate free of charge that might be suitable for the perimeter fence around the skate park.

Cllr Wheeler**6.3.7 Other Matters not on the agenda:**

- A resident was concerned at low water levels at Pinkers Pond. Cllr Kirkbride reported that the pond was currently over-full and would keep it under observation when levels dropped.
- Rats and un-cleared rubbish reported on No 3 St Alkelda's Road had been reported to RDC by the Clerk.

Cllr Kirkbride**Clerk****6.4 Review of Health & Safety matters (standing item).**

- Mud on cobbles may constitute a slip hazard. The Chairman reported that, with the Clerk and Mr Robertson, she had inspected the cobbled area between Castle Hill and the side of Castle Keep Tearooms. The cobbles were in good repair but rainwater runoff was obstructed by vegetation outside the tea rooms that the proprietor agreed could be cut back. Mr Robertson would also clear the accumulated mud away, notwithstanding that the area was outside that covered by his agreement with Council. This was appreciated.
- Vehicles moving at excessive speed along North Road was raised by Cllr Wheeler. Cllr Byford agreed to forward a link to the speed management protocol that Cllr Wheeler would review. Cllr Byford would also speak to Mr Keniry regarding traffic movements to his stables.

Cllr Byford/ Cllr Wheeler**6.5 Project Updates:**

6.5.1 Option agreement over land on Leyburn Road. No further matters to report at the current time.

6.5.2 Burial Ground. Cllr Wheeler had measured the depth of the pipes crossing the site and which had been forwarded to Yorkshire Water. The Clerk would follow-up provision of the survey undertaken by Mark Johnston Racing.

Clerk

6.5.3 MSCWA. Cllr Kirkbride reported that the AGM had again been inquorate and would need to be rescheduled. A copy of MSCW's draft statement of income and expenditure for the year ended 31 March 2018 was received for information. A small surplus for the year of £219 was noted, which would have been higher had the 2017 season's ground fees been received from the Cricket Club. The cash balance was £1642.

Action

Council noted the generous offer of Mr Sanderson to pay up front for the repairs to the mower in advance of receipt of MSCWA funding.

6.5.4 Military Working Horse Middleham – providing a retirement home.

Communications received from Household Cavalry Mounted Regiment had been received in which the Town's interest was noted. The horse was not yet due for retirement and the Council's commitment was only to find a suitable home with no financial commitments required.

6.6 Data Protection: new legislation. The Clerk reported upon useful training by YLCA that he and Cllr Fairhurst had attended. Key points to note:

- Responsibility for compliance rests with Cllrs and not the Clerk.
- All Cllrs were strongly recommended to read the NALC GDPR toolkit
- Sending personal data to private email addresses was not recommended and Councils should look into setting up individual email addresses ending .gov.uk
- Minutes should not name any members of the public who attend meetings
- Ensuring compliance where councils use Facebook or Twitter can become complex and should be avoided.
- Outgoing Council emails should state 'all personal data will be dealt with in accordance with Council policy on data protection'
- YLCA will draft a model document retention policy, which will be received shortly
- YLCA will shortly forward costs of its DPO service
- It was recommended that Councils should initially focus on adopting policies and model documents and that the significant task of reviewing data files to remove outdated data should be viewed as a lower priority and need not be completed by the implementation date of 25 May 2018.
- When the review of data in cabinets and drawers takes place, this should be carried out by Cllrs and the Clerk, not just the Clerk

All

The Clerk was currently amending the pro-forma model documents for approval to the next Council meeting.

Clerk

6.7 Events

6.7.1 Tour de Yorkshire 2018. Pledged contributions were noted to be as follows: RDC £1,720; MTA and MTC £750 and £250, respectively, and various pledges from the business forum totalling £125. Cllr Byford was hopeful that additional funding might be secured but requested that a contingency of an additional £250 be granted in the event that this was not forthcoming. This was agreed.

Arial images of the land art were received and agreed to be very impressive.

It was agreed to grant access to the part of the Moor to the TdY organisers for use as a feeding station and parking area, as per the formal request received.

6.7.1.1 Richard III Festival. Cllr Byford provided an update on arrangements for the 2018 event.

6.7.2 Stables Open Day 2018: 30 March 2018. Verbal reports on what appeared to be a successful event were received. It was agreed to request details of the donations made by Racing Welfare to local 'good causes'.

Clerk

6.8 Change of Legal Status of Scotts Solicitors. Scotts had formally advised that they had transferred their business to a private limited company with effect from 1 April 2018.

Action**7. Planning**

7.1 Planning decision notices received since the last meeting: No notices had been received.

7.2 Planning Applications.

7.2.1 Full Planning Permission for Extensions to Form New Utility Room and Kitchen Extension at Anzel, Leyburn Road, Middleham, Leyburn, North Yorkshire, DL8 4PS reference 18/00197/FULL. This was supported.

7.2.2 Listed Building Consent and Advertising Consent, The Dante Arms Market Place Middleham Leyburn North Yorkshire DL8 4NP, references 18/00210/LBC and 18/00208/AA respectively. This had been approved by email circulation.

7.3 Potential Planning Enforcement Issues. There were no matters to report.

7.4 Revised Conservation Area Guidance. The Conservation Officer had advised that, other than the Town Council, no comments on the revised guide had been received which would now be proposed to the Planning Committee for adoption as supplementary planning guidance. The Clerk would seek assurance that the correct documents would be submitted

Clerk**8. Finance – Information/Decision required**

8.1 A copy bank statement and a full bank reconciliation as at 31 March 2018 had been received at the previous meeting.

8.2 IT WAS RESOLVED to approve the schedule of direct debits and internet bank transfers to approve and ratify all payments since the last Meeting as set out on the payments schedule.

9. National Pay Award for Clerks. 2018-2019

The National Joint Council for Local Government Services (NJC) had reached agreement on a 2% cost of living increase for local council/parish meeting employees with effect from 1 April 2018 and accordingly the Clerk would receive this award.

Clerk**10. Central & Local Government Communications.**

10.1 Outcome of Boundary Review. Council noted that the Boundary Commission had determined that Middleham would remain as a separate District Council ward, with its own councillor and include all of Coverdale, West Witton and East Witton. This was gratifying as it reflected the Council's own preference, supported by submissions by other councils and a variety of other interested parties including businesses and individual residents.

10.2 Documents that have been emailed or circulated to Cllrs since the last meeting.

10.2.1 MEDIA RELEASE from NHS Hambleton, Richmondshire and Whitby Clinical Commissioning group to join a local NHS workshop called "Planning the best care for your future".

10.2.2 NYCC County Archive Consultation on what the North Yorkshire Archives service of the future should look like.

10.2.3 Funding for developing a Business Plan for New Catterick Health Campus has been announced by NHS Hambleton, Richmondshire and Whitby Clinical Commissioning group

10.2.4 Warm and Well Project. An invitation to attend the Hambleton and Richmondshire District Meeting to gather feedback from the first winter of Warm & Well.

Action

11. Correspondence, shared information and suggested items for the next agenda.

11.1 Lower Wensleydale Partnership-late funding application. It was agreed to support an application referred back to and resubmitted by Hunton Parish Council to support installation of a 'bench' only which would be within the remaining funds available.

Clerk

11.2 Other Business

Date and time of the next meeting: The next meeting shall be held on Wednesday 23 May 2018.

There being no further business the Chairman declared the meeting closed at 9 pm

Signed.....Date.....