

Minutes of a Meeting of Middleham Town Council held in Middleham Key Centre on Wednesday, 7 March 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, Cllr Mrs L Stocker and Cllr Prof B Shorrocks.

Clerk, Mr D Keep

The following members of the public attended: Mrs Thompson, Mr Fletcher and Mr S. Adamson

Action

1. Open Forum.

The Chairman opened the meeting noting that it had been postponed from its original date of 28 February 2018 due to bad weather.

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.

Mrs Thompson requested £25 towards purchase of plants for the Jubilee fountain. This was approved, with thanks to Mrs Thompson for undertaking this work.

Mrs Thompson drew attention to horse waste outside the entrance to the castle. It was agreed that this was unsightly and the Clerk would write to trainers using the road in front of the castle and to hauliers removing waste seeking cooperation to keeping this area tidy, particularly as the tourist season was about to start.

Clerk

Mrs Thompson reported that the grit bins in the town had emptied quickly after being refilled.

Mr Adamson informed Council that he intended to submit a planning application for creation of a holiday park at Hillside Farm, East Witton Road, Middleham, comprising 46 lodge-style units for a combination of holiday and longer-term lets. He presented an outline site plan and invited comments. A number of questions were raised including; retention of trees; paths; drainage; dog walking areas; timescale. Council would submit formal comments once a detailed application was submitted to RDC.

2. Apologies.

All Councillors were present.

3. Declarations of interest regarding items on the agenda.

Cllr Byford had declared an interest in agenda item 6.3.1 regarding car parking and road safety as a former employee of NYCC.

4. Minutes.

4.1 Minutes of the previous council meeting

Action

IT WAS RESOLVED to accept the minutes of the Council meeting held on 31 January 2018 as a true and accurate record of the meeting.

4.2 The schedule of agreed actions. The schedule was reviewed in detail. The following further actions were agreed:

4.2.1 Grit Bin outside Middleham House, Kirkgate. Notwithstanding that NYCC Highways had advised that none of its bins was ever placed at the location, it was agreed to request that one be installed there as the road was potentially slippery and the 'mystery' bin appeared to have been filled and used over a number of years.

Clerk

4.2.2 Ginnel alongside Rill Hotel. Now that ownership of the ginnel had been clarified, it was agreed that Cllr Byford would speak to the owners regarding the poor condition of some of the flag stones and planters with a view to the appearance being improved.

Cllr Byford

4.2.3 Centenary of end of WW1. The Clerk would speak again to the Church whether they now had an event planned.

Clerk

5. Confidential and Urgent Items. There was one confidential matter for consideration at the current meeting and recorded in the confidential minute book as minute 9.4.

Cllr Shorrocks informed the meeting of his intention to resign as a Councillor to take on a new role as Scientific Editor for the African Journal of Ecology. This would create a casual vacancy and the Clerk would make the necessary arrangements with RDC.

Clerk

6. Town Council (Clerk) – Information/Decision Required

6.1 Councillors report of meetings attended and actions undertaken since the previous meeting.

6.1.1 Racing Welfare Drugs Awareness Meeting, 7th February 2018. Cllrs Fairhurst and Byford had been present and reported that the event was well-attended by staff from the racing industry, including some trainers. It had been very informative and was followed by a lively discussion.

6.1.2 Police and Crime Commissioner community mapping exercise meeting, 5 February 2018. A broad spectrum of Middleham's community had been present and had made the PCC's representative aware of local concerns regarding traffic and drug use which did not seem to have been viewed as significant issues by the PCC. The convenor had expressed appreciation that these issues had been raised. A follow-up report would be received.

6.1.3 YLCA Richmondshire Branch meeting, 9 February 2018. The Clerk had expected a short presentation by Rishi Sunak MP whereas, in his new capacity as the Minister for Local Government, he had sought feedback from attendees on current issues affecting local the work of local councils. The MP would attend a further branch meeting in future. The meeting had also discussed GDPR.

6.2 Land Management Issues

The Clerk read a letter received from a resident, Mrs Gill, regarding potential for flooding in the western end of town which, following her own inspection and attempts to clear debris from drains alongside the highway, she attributed as lack of recent clearing. Councillors discussed the problem and agreed that the drains were not being cleared as frequently as necessary. The Clerk would request NYCC to clean all drains on the road leading to the Moor. This should be undertaken after 1pm, after horses had returned from the Moors.

Clerk

6.3 Review of Health & Safety matters (standing item).

6.3.1 Car Parking and road safety issues outside Central Stores and Old Town Hall. Cllr Wheeler suggested that bollards to be installed on the day of the Open Stables event to prevent parking where the road narrows outside the Old Town Hall as visitors often encroach onto the highway. The matter had been raised by a bus driver and a resident. This was agreed and the Clerk would make the arrangements

Action

Clerk

6.3.2 Skate Park Inspection report. A draft pro-forma had been prepared by the Clerk as requested by minute 5.2.3 on 28 September 2016. It was noted that Council engaged RDC to conduct a monthly inspection and a more detailed inspection would be undertaken annually by RoSPA. Following discussion, Council considered that the existing inspection regime was adequate, provided that all recommendations received were undertaken in a timely manner. The Clerk requested that the minutes record that he had recommended that inspections be undertaken by MTC and MSCWA.

6.4 Project Updates:

6.4.1 Option agreement over land on Leyburn Road. Responses from the other party's lawyers on the draft agreement drafted by Scotts were discussed. There was disappointment that such a large number of amendments to the agreed heads of terms had been received, some of which were unacceptable as they would restrict the Council's ability to comment on a detailed planning application. The Clerk would respond along these lines to Mr Scott.

Clerk

6.4.2 Burial Ground. The Clerk provided a verbal progress report. The key points were as follows:

- Hydrogeological survey. Recent communications with the Hydrogeological Consultant was reviewed. Frustration was expressed that there might be additional costs seeking further advice regarding the specification for drilling bore holes. Due to this delay, it was agreed to defer circulating notices to residents about the project until the likely timescale was clearer. Copies of surveys undertaken nearby would be made available by Mark Johnston Racing, which was helpful. The consultant would liaise with the Environment Agency regarding the level of detail that the Agency required.
- Burial Ground Rules. Mr Sanderson had kindly made comments on the draft which had made them shorter and more appropriate to a smaller operator.

6.4.3 MSCWA. Cllr Kirkbride reported that the Association's new constitution would be proposed for adoption at the forthcoming AGM. The Clerk referred to guidance that he had recently circulated to Councillors regarding alternative legal structures for running sports associations which had opined that an unincorporated structure might not be appropriate where an association operated land and buildings or there were risky activities as the Trustees may become personally liable. Mr Fletcher, in attendance as a resident, agreed on behalf of MSCWA to look into possibly converting to a company limited by guarantee. The Clerk would ascertain the costs of a deed appointment additional and replacement trustees.

Clerk

6.5 **Data Protection: new legislation.** A detailed briefing note with an action plan had recently been received from NALC with a draft data audit form prepared by YLCA. The relatively short period until full implementation on 25 May 2018 was noted. Cllr Cade reported that he had recently undertaken training through his role as a School Governor. It was agreed that Cllr Cade and the Clerk would liaise to prepare the Council's response which would be discussed again at the next meeting. It was felt that no one within MTC possessed the necessary knowledge and skills to be a data Protection Officer ('DPO') and noted that RDC, unlike some District Councils, was unable to provide this service. The Clerk would investigate what other Councils were doing to appoint a DPO.

Cllr Cade / Clerk
Clerk

6.6 **Publication dates for the Middleham Herald:** It was agreed to publish an edition prior to 31 March and a number of topics were suggested. Cllr Shorrocks

All

Action

agreed to prepare the draft and requested that contributions should be submitted to him by Monday 12 March. **Post Meeting Note:** Cllr Stocker agreed to take on responsibility for editing future issues.

In light of Cllr Shorrocks' decision to resign, it was agreed that the Clerk would take over running the Council website and he would arrange a handover meeting. **Post Meeting Note:** Cllr Stocker agreed to take on responsibility for the website.

6.7 Events

6.7.1 Tour de Yorkshire 2018. Council had commented upon the draft funding application prepared by the MSCWA Committee that had been submitted to RDC prior to the deadline of 5 March 2018. A response was awaited. If funding was received, the organisers must obtain 2 quotations for each item of expenditure.

Although match funding was not required, financial support had been pledged by MTA, the Business Forum and MSCWA. Cllr Byford proposed that Council shall make a contribution:

RESOLVED THAT £250 be contributed to the Tour de Yorkshire event, subject to approval of funding by RDC.

The Clerk would apply for an event notice, the costs of which would form part of the Council's contribution.

Clerk6.7.2 Richard III Festival

6.7.2.1 Notes of the Council Committee meetings held on 5 January and 5 February 2018 were received for information. Cllr Byford provided an update on arrangements for the 2018 event.

6.7.2.2 Organisation of 2018 event. It was agreed to organise the event on the same basis as in 2017 and accordingly

RESOLVED THAT

The Town Council shall run the 2018 Festival;

A council committee be formed comprising 3 x councillors (Cllrs Byford, Wheeler and Fairhurst) with residents Mr B Sugden, Mrs T Tolhurst and Mrs L Sweeting, a representative from St Alkelda's Church and Mrs Gillian Savage of English Heritage)

It was further agreed that the sub-committee bring forward information to the April council meeting to enable council to

- ratify and agree the programme of events;
- approve an itemised budget of expenditure and authorise a specified expenditure threshold to be delegated to the Committee;
- instruct the Clerk to inform the Council's liability insurers;
- Consider and approve a risk assessment for the event.

6.7.3 Stables Open Day 2018: 30 March 2018. There was nothing specific to report as the event was going ahead, as planned. The Military Working Horse 'Trooper Middleham' of The Household Cavalry would be present. Cllr Byford reported that it was possible to submit a 'request of interest' to provide a permanent home for Trooper Middleham upon his eventual retirement and she would submit such a request on Council letterhead.

Cllr Byford

6.7.4 Wensleydale Wander: 14 April 2018. A copy of the route plan and risk assessment had been received and forwarded to MTA for comment. The route and arrangements were noted to be similar to the event held in 2017. It was agreed in

principle to approve this event.

6.7.5 Feast Day 28 May 2018. It was agreed in principle to approve this event, subject to receipt of further details, a copy of the risk assessment and insurance cover for the bouncy castle. It was agreed to pay the cost of the event licence (£21), as in previous years, which the Clerk would apply for.

Action
Clerk

Clerk

7. Planning

7.1 Planning decision notices received since the last meeting:

7.1.1 Full planning permission for retention of redeveloped building and use of the building in conjunction with the Saddle Room catering facilities (Part retrospective) at Bell Barn, Saddle Rooms, Tuppill Park, Coverham R/60/30M GRANTED

7.1.2 Full Planning Permission for Replacement of Two Existing Kitchen Windows to the Side and Rear with Double Glazed Yorkshire Slider Windows in Wood and Repaint all External Doors and Windows in Farrow and Ball Paint Colour Lichen, Moat Cottage West End Middleham DL8 4QL 17/00869/FULL GRANTED

7.1.3 Full Planning Permission for Replacement of Existing Barn with Welcome Lodge, Change of Use of Agricultural Land to Camp Site with 11 Timber Camping Pods, Installation of Septic Tank and Associated Access at Field North Of Curlew Barn, East Witton Road, Middleham, DL8 4SG 17/00892/FULL APPLICATION WITHDRAWN.

Council had supported the application following a site visit with the applicants as there had not been any material planning considerations against the proposal. Some concern was expressed that the applicants may have come under pressure to withdraw their application before the determination process was completed.

7.2 Planning Applications.

7.2.1 Full Planning Permission for Flat Roof Extensions to the Front, Side and Rear Elevations 9 St Alkelda's Road Middleham DL8 4PW 18/00067/FULL. The application was considered in detail. It was agreed to submit an objection as a large area of flat roofing would be out of keeping with the general roof scape along St Alkelda's Road and comprised over-development of the plot, particularly in relation to its immediate neighbour where a proposed a two storey vertical wall would be very close to the boundary. The Clerk would draft a response reflecting these concerns for circulation to Council.

Clerk

7.3 **Potential Planning Enforcement Issues.** Unauthorised building works - Castle Folly, Forbidden Corner, Tuppill Park, Coverham (Appeal Reference: APP/C9499/C/17/3184643). Council had not objected to the application and had no comments regarding the appeal.

8. Finance (Clerk/IH) – Information/Decision required

8.1 A copy of the receipts and payments for January and February (including bank reconciliations as at each month end) had been circulated prior to the 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.**

Clerk

8.3 **Internal Audit Engagement letter.** The letter, in the same form as the previous year, was approved.

8.4 **Clerk's Contract of Employment (Confidential Business).** This matter is recorded in the confidential minute book.

Action

9. Central & Local Government Communications. The following documents have been circulated:

- 9.1.1 Friarage. An update from the recent public engagement process.
- 9.1.2 DEFRA consultation on proposals to tackle crime and poor performance in the waste sector

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

10.1 Shared Information

10.1.1 YLCA Richmondshire Branch meetings. Future meetings will be held at 7pm on 7 June and 11 October;

10.1.2 Keep Britain Tidy campaign to mobilise parish councils to run Spring Clean events. Scheme details noted and would be looked at again at a future meeting.

10.1.3 Annual Report from MKC. The report received in previous years was mostly narrative; income and expenditure reports and a balance sheet were available from the accounts filed on the Companies House website. It was agreed to look into the reserves available for completion of works possibly required to lighting in the building.

10.1.4 . Proposed Closure of Northallerton Magistrates Court. Councillors noted the strong case that had been made against the proposed closure by North Yorkshire Magistrates. Consultation period would close on 29 March 2018. The Clerk would draft a submission, noting the difficulty of jurors, witnesses as well as defendants travelling from Wensleydale to courts in other towns.

**Cllr
Stocker/Clerk**

Clerk

Clerk

Clerk

10.2 Other Business

The Chairman formally thanked Professor Shorrocks for this service to the Council.

Date and time of the next meeting: The next meeting shall be held on Wednesday 28 March 2018.

There being no further business the Chairman declared the meeting closed at 9.15 pm

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