

**KIRKBY OVERBLOW PARISH COUNCIL**  
**Minutes of the Annual Meeting of the Parish Council**  
**held on Monday 17 May 2021 at Low Hall, Kirkby Overblow**

Present: Councillors D Yeadon, R Denwood, P Perry, S Snowden, J Cross and A Whiteley

In attendance: NYCC Cllr. C Trotter, HBC Cllr. A Paraskos and Mr M Richards (Clerk)  
Parish Members: 6 via Zoom videoconferencing software, in accordance with Government guidelines.

1. **Apologies for Absence** - None

2. **To appoint the Chairman of the Council**

Councillor D Yeadon was re-elected as Chairman, proposed by Cllr P Perry and seconded by Cllr R Denwood.

3. **To appoint the Vice-Chairman of the Council**

Councillor R Denwood was elected as Vice-Chairman, proposed by Cllr D Yeadon and seconded by Cllr A Whiteley.

4. **Members' Declaration of Interest**

There were no declarations of interest for the meeting.

5. **To receive and if thought fit, approve the minutes of the meeting of the Council held on 18 March 2019**

**Resolved:** That the minutes of the Meeting be approved as a correct record.  
Proposed by Cllr R Denwood, seconded by Cllr A Whiteley.

6. **Matters arising from the Minutes of the Meeting**

To be dealt with as part of the agenda, as appropriate.

7. **Questions from the Public**

Grace Cauldwell, the Minister at Kearby Methodist Church, gave a short presentation on the plans to renovate the disused Chapel "school room", with the intention of creating a community space for use by the local community. The cost of the so called "ROCK" project is expected to be in the region of £30,000. Some donations have already been received and it is hoped to raise further funding via the various grants available. The Chairman asked what was wanted from the Parish Council in this context? At the moment, all that is requested is the Council's support for the scheme and its objectives. Councillors discussed and agreed to support the scheme, in principle.

8. **To report on or consider Planning Applications/TPOs received**

**Consider:**

(a) 21/01680/PREHHM – The Old Forge, Weeton Lane, Weeton. The clerk had sought clarification from HBC as to the reason this application had been issued for comment when, in fact, it appears that it is an enquiry from the applicant seeking pre-planning advice. HBC Customer Services were unable to supply an answer or clarification and the Chairman ruled therefore that no response from the Parish Council would be submitted until the formal planning application response form was received.

(b) 21/00416/FUL – Conversion of outbuilding to form ancillary accommodation, Prospect House, Barrowby Lane. Councillors discussed and considered there were no

issues of concern and agreed that a response of “No objection” should be submitted.

(c) 21/01233/FUL – Demolition of existing single storey extension and erection of 2 storey extension with balcony, Walton Head Farm, Princess Royal Way, Pannal.

(d) 21/01120/FUL – Erection of single storey rear extension, Cleveland House, Barrowby Lane, Kirkby Overblow.

The Chairman explained that the above two applications had already been decided by HBC Planners, and both applications had been refused on the grounds of “disproportionate addition to the existing building and detrimental effect on the Green Belt” Councillors noted.

(e) 21/01220/FUL – Erection of 2 storey rear extension, Sycamore Farm, Follifoot Lane, Kirkby Overblow. The Chairman described the nature of the application, asserting that it would have no impact on surrounding properties or detrimental effect on the environment and suggested that a “No objection” response should be submitted. Councillors agreed.

(f) 21/00969/FUL - Conversion of garage space into habitable accommodation/office, Greenacres, Swindon Lane. (NO OBJECTION – submitted by Clerk under delegated authority)

(g) 21/01441/FUL – erection of glasshouse re flower growing business, Wharfedale Grange, Harrogate Road. (application subsequently WITHDRAWN) The Chairman observed that another replacement application was to be submitted.

(h) Low Snape Farm. The Chairman reported that he understood, following pre-planning enquiries, the owner is to submit a formal planning application which is likely to be extensive and complex in nature. Councillors noted.

(i) A councillor sought an update on the application for 3 houses on the Walton Head Lane site. The clerk confirmed that there had been no further communication from HBC or the applicant. The Chairman asked Cllr Paraskos to follow up if possible. Cllr Paraskos confirmed that he will ask for the application (when it is finalised) to be considered by the HBC Planning committee, not just at officer level.

#### **9. To report on Decision Notices received**

(a) 20/02519/FUL – Erection of single storey, 2 storey and 1<sup>st</sup> floor extensions, Keld Cottage, Follifoot Lane.

REFUSED

(b) 21/00604 – Erection of Agricultural storage building – field south of Harefield House

REFUSED

(c) 21/00691/FUL – Erection of stables, tack and store – The Bungalow, Moor End Farm, Dunkeswick

GRANTED

(d) 20/0163/FUL – Erection of 4 buildings, detached garages and car ports – The Depot, Weeton Lane, Weeton

GRANTED

Local residents had submitted objections due to concerns over the septic tanks’ capacity (also reflected in the Parish Council’s response) but to no avail. Councillors noted all the above decisions.

#### **10. Correspondence**

(a) Ref 6.141.170 OUTMAJ – Agricultural development, Swindon Lane. The Chairman reported on the communication he had had with Andrew Lancashire (HBC

Enforcement Officer/Planner, regarding the planning permission granted in 2009 (following appeal) for a substantial agricultural development on Swindon Lane. Under normal circumstances this planning approval would now have “timed out”, but the original applicant, as part of the applied for development, did construct a small concrete pad just inside the access gate from Swindon Lane. This would appear to comply with the planning approval and hence the application is, apparently, still “live” Since the original application was approved however, ownership of the land has changed hands twice, and there is some concern that buildings will be constructed even though the circumstances under which the appeal was granted no longer exist. Mr Lancashire has consulted with a colleague and their initial view is that the planning permission is still valid, having been initiated by the construction of the concrete pad. The Chairman sought approval to appoint Walton and Co for a) advice as to whether the planning permission is still valid and b) what steps the Parish Council could take to resist what is likely to be an undesirable development. The cost of this advice will be in the region of £800 – councillors approved, but it was agreed to await the actual planning application before instructing Walton’s.

(b) Planning Enforcement re alleged sub-division of property into 4, Kirkby Meadows, Jasper Lane, Kirkby Overblow. Enforcement Officer is still investigating.

(c) Planning Enforcement – re height of stone wall, All Saints Meadow, Swindon Lane, Kirkby Overblow. Enforcement Officer has ruled that there was a breach of planning and has advised the owners to submit a retrospective planning application to regularise the development.

(d) Parish Council letter to the Planning Inspectorate re the Appeal against the Enforcement Notice for The Stables, Swindon Lane. Councillors noted that the Inspector is to carry out a site visit on 11 May. Outcome awaited.

**11. K.O. Village Matters**

(a) Litter pick – due to coronavirus restrictions, the annual Spring litter pick did not take place. Unfortunately, now that restrictions have been lifted, the grass on the roadside verges is too long and a litter pick would be ineffective. It was decided that a date for 2022 would be fixed at the January Council meeting (clerk to note for the agenda) and the School would be invited to take part.

(b) Traffic concerns. To record the speed and volume of traffic, it was agreed that the Chairman would meet with the NYCC Highways Safety Officer, to identify the best two locations for the installation of “speed pipe” monitoring equipment and to discuss the possibility of obtaining a Vehicle Activated Sign.

(c) Children’s Play Area. A Residents’ Group had met with the HBC Parks and Playgrounds Officer to consider the options available, given the unsatisfactory state of the current play area and play equipment. The HBC Officer subsequently responded with details of a grant fund application to raise some £70,000 from the FCC Communities Fund for the project. This Fund requires a 10-11% contribution from a third party (ie the PC or Residents’ Group) so some £7,000+ will need to be raised. The Chairman then asked councillors to come up with ideas for fundraising up to £10,000 for the project, suggesting that parents, grandparents and other interested residents be approached. Cllr Denwood was asked to produce a village circular, for this purpose. Cllr Trotter will speak with the Chairman about the possibility of a contribution from his Locality Budget. Cllrs Denwood, Cross and Yeadon agreed to form a small working committee to crystallise ideas.

(d) Star and Garter update. The Chairman of the Star and Garter Residents' Group had circulated a paper "Broadening the Horizons" to councillors before the meeting. This document, to be included in the next edition of the Village News, seeks to explain the visions, planning and progress of the Residents' Group with regard to the acquisition and development of the Star and Garter. The original concept, of the creation of a community use facility has changed, and has been expanded significantly to create the so-called "Lower Wharfedale Heritage Centre" which will include a pre-school group, a community hub, a café, an activity and meeting space etc. Councillors posed various questions of the Group members (who were attending remotely via Zoom) asking when the full Business Plan would be available and what would be the main issues covered? The Group responded that the Business Plan would set out the key objectives of the Group and explore in detail all financial targets and consequences. The Group asked if the PC could obtain the floor plans of the existing building and the Chairman affirmed that he had been trying for 2 years to get hold of these plans but, obviously, without success. The Group went on to question the degree of support for the project from the PC, suggesting this was superficial. Cllr Denwood contradicted this assertion vigorously, stating that the Parish Council continued to support the objectives of the Group, but it must be remembered that the PC represents the interests of the whole Parish and the original survey did not demonstrate overwhelming support from the whole community. Accordingly, the PC must be balanced in its attitude to any given project. Members of the Residents' Group acknowledged this response but then asked about an Enforcement Notice in 2019 reporting the removal of fixings and equipment and what the Parish Council's response had been? The clerk and Chairman were both unaware of this Enforcement Notice and agreed to follow up (NB it was subsequently discovered that although "enforcement" had been referred to in an email exchange between HBC and Cllr Paraskos, a formal Enforcement Notice had not been issued) The Group was also concerned about the gradual dilapidation of the pub building, with Health and Safety implications. The clerk will refer these concerns to HBC and enquire whether any action can be taken. As a final comment to the lengthy discussion, a resident observed that initially, he had not been in favour of the original project, but now, given the expanded scheme to create a Heritage Centre, he was completely in favour and hoped that the village would be re-acquainted with the new proposals. (The "Broadening the Horizons" article in the Village News should achieve this objective)

**12. Dunkeswick Matters**

No new issues to report.

**13. School Activities**

Cllr Denwood reported:

(a) The School would like an update on the Walton Head Lane 3 houses application. Clerk will forward details when the next stage is reached.

(b) Tennis court – the School would now like to use the court on Friday afternoons, if possible. The Chairman commented that little use is being made of the facility currently and he saw no reason to refuse this request.

(c) The School is to undertake fundraising to acquire a new Learning Resource Centre and support from the Parish Council is requested. The Chairman agreed that this would be considered at a future meeting.

(d) The School was pleased to announce the acquisition of 20 laptop computers via success in a Daily Mail competition. Councillors offered their congratulations.

**14. Code of Conduct**

Councillors agreed to adopt the HBC amended version of the new National Code of Conduct.

**15. Accounts & Services**

(a) The Council received and **approved** the 2 monthly receipts and payments accounts since the last meeting.

(b) The Council received and **approved** the annual receipts and payments statement for 2020/21.

**16. Annual Audit Return – Governance Statement 2020/21**

(a) The 2020/21 Annual Internal Audit has been carried out by Mr R Chambers, as previously. Although the audit is still to be finalised, the clerk understands that the report will confirm that the Council has met its internal control objectives and there are no issues to report to Councillors. Councillors approved an honorarium of £40 for this service.

(b) The 2020/21 Annual Governance Statement (AGS) was **approved** by the Council and will be signed by the Chairman and Clerk.

(c) The 2020/21 Annual Accounting Statements (AAS) were **approved** (by the Council and will be signed by Chairman and the Responsible Financial Officer.

**Actions at (b) and (c) will be completed once the confirmatory audit report has been received and circulated to councillors.**

(d) The Clerk confirmed that the Council now meets the requirement for it not to be subject to the “limited assurance” review, and merely has to submit a “Certificate of Exemption” and the Annual Internal Audit Return to the External Auditor, which he will do after this meeting.

**17. Village Events**

The Chairman mentioned the forthcoming events:

- “Open Gardens” in July, and
- Clay Pigeon Shoot on 10 July

KOSAF are looking at a number of events over a longer period.

**The meeting closed at 9.40 pm**

**Date of the next meeting - Monday 19 July 2021, 8.00pm at Kirkby Overblow School.**