

**KIRKBY OVERBLOW PARISH COUNCIL**  
**Minutes of the Meeting of the Parish Council held on**  
**Monday 20 January 2020**  
**at Kirkby Overblow School**

Present: Councillors D Yeadon (Chairman), N Rawson (Vice Chairman), R Denwood, P Perry, S Snowden and A Whiteley. In attendance: HBC Cllr A Paraskos, Mr M Richards (Clerk) and 8 residents for items 1-5, plus 2 representatives from Park Lane Homes and JohnsonMowat.

**1. Apologies for Absence**

An apology for absence was received from NYCC Cllr C Trotter.

**2. Members' Declaration of Interest**

There were no declarations of interest for the meeting.

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

**Resolved:** That the minutes of the Meeting be approved as a correct record.  
Proposed by Cllr Rawson, seconded by Cllr Perry. The Chairman then signed the minutes.

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

The Chairman confirmed that the village bench had been ordered and would be delivered shortly, along with a fixing pack and plaque. He formally thanked Cllr Trotter for the contribution from his Locality Fund which allowed purchase of the bench.

**5. Questions from the Public**

None.

**6. Matters of immediate interest**

(a) "Pickard's Yard" – the representatives from Park Lane Homes (PLH) and JohnsonMowat (JM), outlined their proposals for the housing development on this site. Initial plans are to construct three 4/5 bedroom houses, plus a pair of semi-detached, 3 bedroom houses. Councillors discussed and concluded that there was no objection to the development in principle, but the inclusion of more "affordable" dwellings would be desirable. Cllr Snowden added that he was aware of interest from local residents for the more affordable semi-detached houses and wondered if more semis could be included? PLH responded that they were not averse to including more houses on this site but were constrained by the size of the original footprint, which probably restricts the number of dwellings to those specified. JM confirmed that ecological investigations had been completed with no negative outcomes and they were working within the limits of the Tree Preservation Order. Cllr Snowden also mentioned local, existing concerns over sewage disposal and drains, which would only worsen with this development. PLH confirmed that they were aware of this issue and would take appropriate steps to deal with it.

The Chairman summed up by thanking PLH and JW for their presentation and stating the Parish Council view that the development as a whole would enhance the local environment but would be improved with the inclusion of a better mix of houses.

(b) Star and Garter (S&G) – the Chairman updated councillors following his discussion with the owner of the property. It is the owner's intention to apply for planning permission for two houses on the site (on the basis that planning permission will

probably be granted for one house, if two were refused??) As his family has long standing links with the S&G, he has absolutely no intention of selling. The Parish Council has continued to monitor the circumstances surrounding the S&G since November 2018, when the possibility of acquiring Asset of Community Value status was first considered. Since then the depth of feeling within the village has gradually increased, culminating in the formation of the Residents' Group, with its stated intention of acquiring ACV status. Cllr Paraskos warned of the pitfalls in applying for ACV status, without being properly prepared, as he was aware of many failed applications. He urged that interested parties should meet with the legal officer at HBC, who would go through the process and advise on what needed to be included in the application. As a duly authorised body, the Parish Council will lead in the application, with contributions from the Residents' Group. The clerk will arrange a meeting with the HBC legal officer at a mutually agreeable date and time for all interested individuals. A member of the Residents' Group outlined their thoughts on potential uses for the site if acquired and stressed that it was probably a "once in a lifetime opportunity" to acquire such a prime site for community use. The clerk acknowledged the merits of such a proposal but affirmed that, as Responsible Financial Officer of the Parish Council, he could not recommend pursuing acquisition of the site at what would undoubtedly be a significant sum, without concrete guarantees of a substantial income stream. He had researched the estimated repayment costs of the maximum loan permissible from the Public Works Loan Board (PWLB) - £500,000. Over a 50 year period, this would equate to some £20,000 per annum, with proportionately higher amounts (obviously) for a lesser loan period. Obviously, a substantial income stream is needed to fund such a debt repayment – should the income stream fail, the debt will fall on local tax payers via a massive increase in the precept (the money raised by the Parish Council as its share of Council Tax) Councillors and residents acknowledged this fact and it was agreed, as a first step, that the application for ACV status would be made.

(c) School sign on A658 – the clerk had contacted NYCC to enquire whether a "brown" sign could be placed on the village sign post on the A658? A negative response had been received, explaining that a) the location of the school in KO was self-evident and b) NYCC did not want further distraction to drivers with too much information on road signs. Cllr Paraskos agreed to raise the matter again, stressing that the school would pay for the sign.

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

(a) 19/05058/ADV – Display of 2 internally illuminated entrance signs and 2 non-illuminated stone carved signs – Wharfedale Grange Farm, Dunkeswick  
Councillors discussed and agreed to respond, neither supporting nor objecting but referring to the refused application regarding the certificate of lawfulness for the entrance wall and gates.

**8. To report on Decision Notices received**

(a) 19/04557/FUL – erection of porch extension, installation of bi-folding doors and installation of 3 rooflights – Orchard Cottage, Walton Head Lane

**Granted**

(b) 19/04328/FUL - Formation of riding arena; Erection of stable block, tack room and hay store; Relocation of access to allow small private vehicle into stable area.

Walton Head House, Walton Head Lane, Kirkby Overblow

**Granted**

Councillors noted the above and were pleased that Parish Council comments over private use, external lighting and access, had been included in the conditions permitting the development.

(c) 19/04507/CLEUD – certificate of lawfulness for existing use of land between the house and road as a domestic garden.

**Granted**

Councillors noted the above decision.

**9. Planning correspondence**

(a) Land off Swindon Lane (“The Stables”) As recorded previously, Cllr Rebecca Burnett, the Cabinet member for Planning, had eventually responded to the Chairman’s letter, setting out the background to this case. Councillors were not happy with the negative nature of this response and the Chairman wrote to the HBC Chief Executive expressing the Parish Council’s discontent. Further responses have been received but no progress has still been made. A further response has been promised by the end of January and councillors agreed to await this response before considering alternative action, such as contacting the LG Ombudsman.

(b) Flooding on Follifoot Lane. Water is running out of Fairfield’s field due to a blocked or fractured drain. The landowner has been asked to re-institute the drain, but in the meantime NYCC Highways have completed a temporary measure to contain the flooding.

(c) Flooding on Swindon Lane – following a meeting between the Chairman, landowner, Cllr Trotter and NYCC Highways officer, it was agreed that a possible solution would be installing a connecting pipe between the top and bottom wells. This has now been done but it is not clear whether a permanent solution has been achieved. The Chairman believes that ultimately NYCC will need to construct a new drain under the road.

(d) HBC consultation over its draft charging schedule for the Community Infrastructure Levy (CIL) The clerk explained that CIL is a levy charged on a broader list of developments (rather than purely housing as is currently the case) within a parish area, thereby making more funding available for projects within the parish, and with a greater level of control by parish councils on how this money is spent. This differs from the previous process of commuted sums which is much more restrictive in application, in that funding was only available for specific facilities eg if a parish did not have a village hall or it was already of a certain standard, and the commuted sums related to a village hall, then the funding would pass to the next nearest parish which had a village hall that was eligible. The consultation however, was specific to the “amended charging schedule” and comment from the Parish Council was not necessary.

Cllr Paraskos advised that HBC would be issuing a briefing and organising training courses when the system goes live.

**10. K.O. Village Matters**

Cllr Rawson observed that the village notice board was somewhat dilapidated and would benefit from refurbishment or even replacement. In addition, copies of minutes have not always been displayed (largely due to lack of space) The clerk will enquire of Cllr Trotter whether he has any scope in his Locality Fund for a new, larger

notice board to be purchased.

**11. Dunkeswick Matters**

a) The clerk reported that he understood the “trench” on the roadside at the Swindon Lane/ A61 junction, as reported by Cllr Snowden, had now been filled in by NYCC Highways.

b) Cllr Snowden reported that he was aware of local concern about the tree thinning around “Pickard’s Yard” but he now understood that HBC Planning Officers had visited the site and were content with the extent of work carried out.

**12. School Activities**

a) NYCC Highways had approved the location of the planters, outside the school and Cllr Trotter’s contribution will be used to effect their purchase.

b) The application for a “School” sign to be placed on the by-pass has been again refused by NYCC and there does not appear to be any grounds to appeal against this decision.

c) The school continues to be concerned about cars being parked in the main entrance and blocking adjacent driveways. The school has written to parents requesting more responsible parking and to ask them to park on the roadside rather than the school entrance. The Chairman will consider writing to known individuals, on behalf of the Parish Council, should the position not improve.

d) Security – the school has asked that the external doors to the building are locked during Parish Council meetings. Councillors acknowledged the request.

e) The Community lunch on 12 December was a great success and Cllr Denwood formally thanked all volunteers and those who gave donations towards the costs.

**13. Crime and Disorder**

The only Parish item recorded on the “police.uk” website for November was a theft on Jasper Lane (no other details available) but the Chairman reported the theft of tools and a horse trailer from 2 farms in the Parish. Councillors again expressed concern at the nature of this theft but were pleased to note that the offenders had reportedly been apprehended.

**14. Accounts & Services**

(a) The Council received and **approved** the 2 monthly receipts and payments since the last meeting, with the bank reconciliation.

(b) The Council received and **approved** the invoices for:

M Richards Nov Salary	£176.16
M Richards Decx Salary	£176.16
HMRC – PAYE	£44.04
HMRC – PAYE	£44.04
M Richards – defibrillator battery & pads	£219.60
R Denwood – community lunch contribution	£100.00
R Denwood – school donation (in lieu of room hire)	£180.00

Two Councillors then examined the relevant bank statements and invoices, and signed the covering sheet to authorise the payments.

(c) The clerk confirmed that he had submitted the precept demand for 2020-21, of £7,500, as agreed.

**15. Village Events**

The Village Shoot will be held on 6 June and the next KOSAF meeting is on 4 February

to confirm arrangements for the festival to be held 11-21 June. The clerk will check details of the Parish Council's sponsorship of this event.

**16. Other matters**

Nick Rawson announced, with regret, that for personal reasons he was resigning from the Parish Council. The Chairman accepted Cllr Rawson's resignation, also with regret, stressing his hard work, commitment and contribution to the community over many years. All councillors endorsed the Chairman's comments and offered best wishes to Nick for the future.

**The meeting closed at 9.50 pm**

**Date of the next meeting - Monday 16 March 2020, commencing at 8.00pm, at Kirkby Overblow School.**