

Draft minutes of the ordinary meeting of Darley and Menwith Parish Council held on 30 January 2023 from 7.30pm at Darley Memorial Hall, Sheepcote Lane, Darley

2301/1 Present: Councillors S Welch (Chairman), J McAllister, P Ward, D Dickinson, A Robertshaw, Borough Councillor Tom Watson (part), County Councillor Andrew Murday and the Clerk (M Pearson). One member of the public attended (part).

2301/2 Apologies: Councillor R Ferguson due to holiday.

2301/3 Declarations of interest and consideration of dispensations: Councillor Robertshaw declared an interest in Planning Enforcement items 6c(i) and 6c(iii) as a neighbour to the Stumps Lane development site and took no part in the vote.

2301/4 Approval of Minutes: Minutes of the meeting held on 28 November 2022 were approved.

2301/5 Public Statements: A parishioner spoke in relation to Item 12b concerning the Harrogate Borough Council (HBC) waste bin on Walker Lane, Darley. The parishioner had made a request for the waste bin to be moved from its current location as it was visible from his property. The parishioner confirmed that he had received confirmation from HBC that a green wheelie-bin with stanchion will be installed approximately 100m further into Walker Lane (alongside the existing bench). However, the parishioner understood that a second location - at the bus stop on Main Street - was also potentially under consideration. The parishioner wanted to understand the history of the bin being moved and the involvement of the Council to date.

It was noted that, following a complaint from another resident, HBC removed the waste bin installed on the corner of Walker Lane. Neither the Council or Borough Councillor Watson were made aware of the intention to remove the bin. Removal of the bin led to complaints by other parishioners as a bin in that area is needed. The Council then investigated possible sites nearby and recommended the waste bin be installed at its current location. This recommendation was accepted by HBC.

Dealing with **Item 12b** at this stage, the Council agreed that it could not support the proposal to move the waste bin from its current location. This was on the basis that if it was moved alongside the bench on Walker Lane, the bin would be much more of an eye-sore than in its current location, that it may smell during the warmer months (discouraging use of the bench), that refuse lorries might struggle to reverse up the narrow lane to empty the bin and that it will probably be too far away for those walking along Main Street to make use of the bin. The Council agreed that a proposal to install a bin next to a bus stop on Main Street would potentially have the same problem of smelling in the warmer months.

The Council agreed that the current location is a better location for the waste bin than the two options under consideration having been chosen by the Council as the next best alternative to the original location; **Clerk to notify HBC.**

2301/6 Planning

a. **Planning Decisions** noted:

22/00390/DVCON Variation of Conditions 2 (approved plans), 3 (surface water drainage) and 14 (surface water drainage) of planning permission 20/02500/DVCON to allow amendments including: window alterations and addition of chimneys to houses; raising finished floor levels and ridge height of dwelling on Plot 1; and addition of a first floor (including increased eaves and ridge heights, addition of rooflights and first floor side door and window) and external staircase to Plot 1 garage. Land Comprising Field At 420945 459286 Stumps Lane Darley
APPLICATION PERMITTED

22/03529/DVCON Variation of Condition 1 (approved plans) of planning permission 22/00390/DVCON to allow for amendments to position of boundary wall and footpath on Stumps Lane site frontage Land Comprising Field At 420945 459286 Stumps Lane Darley
APPLICATION PERMITTED

22/04619/FUL Internal alterations; addition of a new side access door and the replacement of a pair of rear french doors with a single door and flag window. Tangmede Darley Head Darley
APPLICATION PERMITTED

22/04353/LB Replace floorboards in bedroom 1, replace lath and plaster ceilings, internal insulation to all external walls with breathable insulation board and lime plaster finish, removal of internal lobby at ground floor, install en-suite to bedroom 1, structural repairs and insert sound insulation and plasterboard between joists in ground floor room. Fringill Top Stumps Lane Darley
APPLICATION APPROVED

b. **Planning Applications** considered:

22/04785/FUL Alterations to access points to Dolly House/Rose House/Wayside Cottage to form 1no central access point to form a gated community. Rose House, Wayside House & Dolly House Darley Carr Darley

The Council **OBJECTED** to the planning application, expressing concerns around the safety of the residents and other road users. In particular, given the layout of the B6451 around the property and the speed of traffic using the road (a 40mph speed limit is in operation), the Council was concerned that vehicles waiting for the electric

gates to open in order to enter the property might be vulnerable to traffic approaching at speed. In light of this the Council queried whether electric gates are strictly necessary.

The Council was also concerned that those visiting the property (e.g. visitors, contractors and deliveries) might park on the verge outside the property and that this might also be dangerous for both the visitors and other road users given the speed of the road and the lack of visibility as a result of the road layout.

The Council noted the consultation response from North Yorkshire County Council (NYCC) Highways and asked that, if the planning application is approved, HBC sets and enforces conditions to meet the requirements stated.

COUNCIL OBJECTS

c. Planning Enforcement:

(i) *22/00146/BRPC15 Land Comprising Field At 420945 459286 Stumps Lane Darley North Yorkshire ALLEGED BREACH: Alleged raised finished floor levels not in compliance with approved plans (22/00390/DVCON, 20/02500/DVCON):* An update confirmed that as a result of planning application *22/00390/DVCON Variation of Conditions... Land Comprising Field At 420945 459286 Stumps Lane Darley* being approved (please see above), the HBC Planning Enforcement Officer was of the opinion that no further action was necessary.

(ii) *22/00396/PR15 Volta House Farm Day Lane Darley ALLEGED BREACH: Siting of package treatment plant with related alterations of levels (21/00601/FUL, 21/04174/FUL):* An update confirmed that following an additional site visit and review, the HBC Planning Enforcement Officer is of the opinion that the completed development will not be visually harmful and that the drainage matter is also considered satisfactory. No further action is to be taken.

(iii) *Parking on road outside Land Comprising Field At 420945 459286 Stumps Lane Darley:* A number of complaints regarding site vehicles parking on, and obstructing, Stumps Lane around the development site were noted. It was agreed that HBC Planning Enforcement should be notified: **Clerk to action.**

d. **Other planning matters:** (i) It was noted that Clerk had submitted a response to planning application *22/04768/TPO Works to TPO - 05/1970 G34 4syc1ash - Lateral reduction of 1no. Syc (T2 on plan) (see email). Works to TPO - 05/1970 G35 4syc - Lateral reduction of 1no. Syc (T1 on plan) (see email). Herdwick Cottage Sheepcote Lane Darley* under delegated authority using the agreed wording "The Parish Council neither supports nor objects to this application but recommends that the advice of the Harrogate Borough Council Arboricultural Specialist is followed."

(ii) *Doulton Lodge, Main Street, Darley:* It was noted that there appeared to be no progress with tidying up the property and that no planning application appears to have been submitted based on the HBC planning portal. It was agreed that an update should be sought from HBC Principal Planning Enforcement Officer, James Cullen; **Clerk to action.**

2301/7 County and Borough Councillors' Reports: County Councillor Murday noted:

Bus services: The Number 24 bus service is being retained at the current level until April 2024. A key aim is to encourage more use of the service to help ensure its continuation after this date.

Nidderdale Greenway Extension update: Nidderdale Area of Outstanding Natural Beauty (AONB) has agreed to carry out a review of local landowner's views on the project, using a professional ranger, who will provide an unbiased view on the feasibility, hopefully in the next three months.

Highways: Kex Gill: a contractor has been appointed and a final business case approval is expected at the end of January 2023; Red Brae Bank has reopened for traffic with traffic light control until the work is finished hopefully later in February 2023.

Youth Council: County Councillor Murday is holding discussions with Chloe Thwaites, NYCC Director for Children and Young Persons Services, regarding setting up a Nidderdale Youth Council.

NYCC finances: There is an expected shortfall in the budget for 2023-24 of £30m which is expected to be made up from reserves (currently £132m). Savings as a result of the creation of the North Yorkshire Council may help reduce the shortfall.

Borough Councillor Watson noted that the Chief Constable of North Yorkshire Police, Lisa Winward, attended the HBC Overview & Scrutiny Commission recently and confirmed that approximately 200 new officers have been recruited to North Yorkshire Police over a three year period using central government funding and that there have been improvements in the handling of 101 calls (although more staff are needed). It was confirmed by the Chief Constable that parking vehicles across footpaths is an offence and can be prosecuted.

It was noted that HBC is looking at relocating the HBC Horticultural Nursery to a new site with the intention of increasing retail sales. Buildings at the current site are reaching the end of their useful life.

Borough Councillor Watson noted that the Government's Levelling Up legislation will prevent the use of charter trustees (as planned for Harrogate pending the creation of parish councils) and will end the existence of parish meetings (which exist in many small parishes which have no elected parish council).

2301/8 Co-option of a new Councillor: It was noted that the process for applying to be co-opted as a Councillor has been advertised on the Council notice boards and advertised in the latest Focus on Darley village newsletter. Applications in the form of a letter should be received by the Clerk no later than 17 February 2023; **Clerk to circulate to Councillors.** A decision on whether to co-opt a new Councillor should be made at the next Council meeting (27 February 2023).

2301/9 North Yorkshire County Council Passenger Transport: Confirmation from NYCC that additional funding will be provided to maintain the operation of the current timetable for the Number 24 service until April 2024 was noted. It was noted that a response had also been received from Julian Smith MP confirming that Mr Smith had raised concerns regarding the service with Mark Harper MP, the Secretary of State for Transport.

2301/10 The North Yorkshire Council: A consultation on the NYCC Draft Parish Charter to 12 April 2023 was noted. The Council agreed that it is a thorough document and welcomed the principle of it being a working document. It was agreed that any comments from Councillors should be submitted to Clerk.

2301/11 Highways and footpaths

- a. *Possible solution to open ditches alongside culvert on Walker Lane:* It was noted that the Parish Caretaker had advised against filling the ditch on the basis that access was needed to clean the culvert. He had advised that laying a slab over the gap was also problematic as the verge in that area is soft and would need building up in order to support the slab.
- b. *Condition of the junction of Stumps Lane and Main Street following recent roadworks:* It was noted that the road surface on Stumps Lane and Main Street in the vicinity of Stumps Lane through to Daleside is a mess following utility works. It was agreed that this should be reported to NYCC Highways; **Clerk to action.**
- c. *Condition of Main Street to the East of Low Green following surface dressing in 2022:* It was noted that following the surface dressing there is a large amount of gravel in the drains and on the pavements. It was agreed that NYCC Highways should be asked to make good; **Clerk to action.** It was noted that a parishioner had also raised the same issue.
- d. *Agreement to jet the culverts on Walker Lane:* It was noted that the culverts on Walker Lane will be cleaned by NYCC Highways (although a date for this to happen couldn't be given); **Clerk to monitor.**
- e. *Update from NYCC regarding potholes on Dairy Lane and Station Road and Menwith Hill Road surface depression:* It was noted that NYCC Highways will repair the road surface on Dairy Lane (near Darley Beck) and Station Road (the entrance to the playing fields) shortly and has also placed an order for repairs to Menwith Hill Road and Low Lane; **Clerk to monitor.**
- f. *Leaves on the footpath between Christ Church Community Centre and the Wellington Inn, Main Street, Darley:* It was noted that a parishioner has reported the pavement being slippery as a result of leaves; **Clerk to ask HBC to sweep the pavement.**
- g. *Bridge across Darley Beck to the west of Station Road:* It was noted that the sleepers forming steps onto the bridge have rotted and that nails and stakes are exposed; **Clerk to report to NYCC Public Rights of Way.**

2301/12 Village Maintenance

- a. *Draft policy regarding donation of benches to the Council:* It was agreed that the draft policy should be adopted with two amendments – to make it clear that siting a bench may be subject to the Council obtaining a street furniture licence and that commemorative plaques will not be moved to a new bench if a donated bench is removed; **Clerk to amend.**
- b. *Parishioner request to support the moving of the waste bin on Walker Lane, Darley, to a new location:* Please see Item 5 above.
- c. *Request for Darley Memorial Hall (DMH) Committee to investigate the installation of electric vehicle charging points:* It was agreed that the Council would ask DMH to consider the feasibility of a public charging point in the car park; **Councillor Dickinson to raise at next DMH Committee meeting.**

2301/13 Reports

- a. *North Yorkshire Police, Fire and Crime Commissioner (PFCC) Online update, 29 November 2022:* Councillor Robertshaw noted that questions were submitted from across the whole county and that it was confirmed that North Yorkshire had 70 traffic police officers and that around 80% of calls to 101 are answered within 2 minutes.
- b. *Nidderdale Safer Neighbourhoods Group, 30 November 2022:* Councillor Robertshaw noted that the annual crime figures for Nidderdale showed a reduction year on year (63 in total to November 2022 versus 84 in total to November 2021). It was noted that Pateley Bridge Fire Service is in need of volunteers and guidance issued by the PFCC regarding fire safety had been produced. The next meeting is 2 March 2023.
- c. *Yorkshire Local Councils Associations (YLCA) Harrogate Branch meeting, 20 February 2023:* It was noted that Councillor Ferguson will attend the meeting.
- d. *YLCA new councillor training, 17 January 2023:* Councillor Ward noted that the training session was interesting and gave a good overview of the role and responsibilities of parish councils and councillors.
- e. *Nidderdale AONB Joint Advisory Committee Parish Council representatives:* It was noted that Chairman intends to continue as one of four parish council representatives on the committee.
- f. *Focus on Darley Coronation Events, May 2023:* It was noted that Focus on Darley intends to hold a number of events on the Coronation weekend. The Council agreed that it would contribute towards the cost of the events if DMH makes a request; **Clerk to add to future agenda.**
- g. *NYCC Climate Change Strategy Draft online meeting, 13 February 2023:* It was noted that NYCC is holding an online meeting concerning its Climate Change Strategy consultation; **Clerk to circulate details.**

2301/14 Finance

- a. *Receipts and Payments noted:* Receipts: Deposit account interest to 30 December 2022 £12.26. Payments: M Pearson - Clerk salary to 31 December 2022 £1,060.56, M Pearson - Clerk allowances and expenses to 31 December 2022 (including adjustment for Cmas lights) £12.06, Darley Playing Fields Association Annual Grant 2022/23 £1,000, Parish Online - Subscription to January 2024 £54.
- b. The budget for January 2023 was approved.
- c. It was agreed that Councillor Dickinson would be added **as** a signatory to the Council's bank accounts; **Clerk to arrange.**
- d. It was noted that confirmation had been received from NYCC that its 2023/24 grass-cutting contribution to the Council will be £423 (£394 current year).
- e. The renewal of the annual subscription to Parish Online at a cost of £45 plus VAT was approved.

2301/15 Correspondence received by the Clerk:

- a. *Ultimate Yorkshire Sportive:* Cycling event passing through Darley, 8 July 2023: It was noted that this event is planned to pass along the B6451, Main Street and Sheepcote Lane and that Darley Memorial Hall will be a drinks-stop for participants; **Clerk to circulate to Councillors.**
- b. *Harrogate Borough Council: Knife bin campaign launch:* It was noted that a knife bin has been installed between the Asda and Dragon Road car parks from 23 January 2023.
- c. *North Yorkshire County Council: Notice of resolution to adopt the provisions within Part II Local Government (Miscellaneous Provisions) Act 1976 from 1 April 2023:* The resolution regarding the licensing of taxis and private hire vehicles was noted.
- d. *North Yorkshire Police, Fire and Crime Commissioner's response to the latest report on North Yorkshire Fire and Rescue Service:* **Clerk to circulate to Councillors.**

2301/16 Items for Information and next Agenda: It was noted that the Council currently only has two nominated trustees for the Charity of Isabel Day and that a third nominee should be sought. It was noted that this didn't need to be a Councillor and that interested members of the community could be considered; **Clerk to add to future agenda.**

2301/17 Date of next meetings: 27 February; 27 March; 24 April; 22 May.

These minutes are published subject to their approval at the next meeting of the Council