

## Draft minutes of the ordinary meeting of Darley and Menwith Parish Council held on 31 July 2023 from 7.30pm at Darley Memorial Hall, Sheepcote Lane, Darley

**2307/1 Present:** Councillors S Welch (Chairman), A Robertshaw, P Ward, R Ferguson, J McAllister, J Hayes (part), County Councillor A Murday (part) and the Clerk (M Pearson). Four members of the public attended (part).

**2307/2 Apologies:** Councillor D Dickinson due to illness.

**2307/3 Declarations of interest and consideration of dispensations:** None.

**2307/4 Approval of Minutes:** Minutes of the meeting held on 26 June 2023 were approved.

**2307/5 Public Statements:** A parishioner spoke in relation to Item 6c(i) and two parishioners spoke in relation to Items 11a and 11b (please see the relevant sections below).

### 2307/6 Planning

#### a. Planning Decisions noted:

ZC23/02070/FUL Demolition of existing 2 storey outbuilding. Construction of part single storey part two storey extension to the west. Stair extension to the north. Erection of a carport. Menwith Hill Top Barn Menwith Hill  
APPLICATION WITHDRAWN

20/05216/FULMAJ Conversion and extension of Mill Building to form 9 Residential Units, erection of storage building/car port, 11 dwellings, detached garage and other external works including car parking Darley Mill  
Darley Carr Darley  
APPLICATION PERMITTED

ZC23/01975/FUL Erection of front porch Kerry Hill Cottage Sheepcote Lane Darley  
APPLICATION PERMITTED

ZC23/01854/FUL Erection of detached stables with attached solar PV panels, hardstanding and fencing. Low Fold Silverdale Close Darley  
APPLICATION PERMITTED

20/02088/FUL Erection of 1 No. dwelling (Plot 2) in lieu of dwelling approved under Ref 18/03851/FUL. Stumps Lane Caravan Park Stumps Lane Darley  
APPLICATION PERMITTED

#### b. Planning Applications considered:

(i) ZC23/02351/FUL Demolition of existing double garage. General alterations and extensions to bungalow including single storey front extension, new entrance position with porch cover. Single storey side and rear extension. New small garden shed. Driveway within site increased in width by 600mm. Briars Darley  
NO OBJECTIONS

(ii) ZC23/02273/DVCON Application to vary condition 2 from application 22/04353/LB to 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. Permission is sought to remove three lath and plaster partition walls to allow repairs to the supporting structure below and to replace with timber stud and partition walls as well as replace all floorboards at first floor level. Fringill Top Stumps Lane Darley  
NO OBJECTIONS

#### c. Planning Enforcement:

(i) 22/00361/PR15 Doulton Lodge Darley **ALLEGED BREACH: Untidy land and engineering operations (16/00062/FUL, 15/03092/AMENDS)**: It was noted that an update from North Yorkshire Council (NYC) Planning Enforcement dated 6 July 2023 confirmed that taking action may be very difficult as the materials on site are understood to be for the development of a patio and ramped access (for which planning permission was granted). It was noted that NYC Planning Enforcement has taken advice from its solicitors on other options that may be available but considers that these are likely to hinder completion of the development.

A parishioner spoke expressing concern that the property has been untidy for many years and it is unclear as to whether any progress is being made with the development of this site. The parishioner expressed doubts that the development would be completed at all, with a preference for the site to be tidied up in the meantime. It was noted that Clerk had been in contact with a parishioner on 31 July 2023 who also expressed concern regarding the untidy nature of the site and asked how to lodge a complaint.

The Council noted that this issue was regularly raised by parishioners as being significant and agreed that NYC should be asked to pursue the other options discussed with its legal advisors. County Councillor Murday agreed to assist with this; **County Councillor Murday to contact NYC Planning Enforcement;**

(ii) 23/00133/BRPC15 Volta House Farm Day Lane Darley **ALLEGED BREACH: Potential breach of planning consent with regard to treatment plant at Volta House (21/05316/DISCON)**: It was noted that a further investigation has been carried out. NYC Planning Enforcement believes that once the development is complete it will not appear visually harmful and that the drainage matter is satisfactory. NYC Planning Enforcement is of the view that any drainage issues which seep over onto adjacent land would be a civil matter.

#### **d. Other planning matters:**

(i) *ZC23/02386/TPO Works to 1 no. Oak of Tree Preservation Order No. 05.1970 G2 ... Low Fold Silverdale Close Darley:* It was noted that Clerk had submitted a response to NYC under delegated authority (i.e. the Council neither supported or objected to the planning application but recommended that the advice of the NYC Arboricultural Specialist is followed).

(ii) *Section 106 / Commuted Sums funding in the area formerly covered by Harrogate Borough Council:* Correspondence shared by the Yorkshire Local Councils Associations (YLCA) was noted. This confirmed that Rainton with Newby Parish Council had complained that NYC was not fulfilling its obligations to collect and pass on Section 106 agreement monies. Responses from NYC confirmed that legally such money could not be used for any other purposes and that NYC would continue to collect and distribute such money. It was noted by NYC that the payment to Parish Councils and other organisations could only be paid once collected from the developer in full and that this may affect the timing/making of payments to organisations.

**2307/7 County Councillor's Reports:** County Councillor Murday reported the following:

NYC changes: Following the resignation of two Conservative councillors, the ruling group is now known as the Conservatives and Independent group, formed with, amongst others, Andrew Williams, who was elected in May 2022 as a Ripon Independent representing Ripon South. One Conservative councillor has retired from NYC altogether, which has created a by-election in the Hutton Rudby and Osmotherley division.

Locality Budget: This is available again this year and County Councillor Murday would like to encourage applications for grants.

Pateley Bridge Children's Centre: NYC has now de-designated the children's centre which occupied a space in St Cuthbert's school. In collaboration with Nidd Plus, there is a proposal to use the space for a multigenerational Family Centre.

Home Upgrade Grant 2: NYC has grants available for households which are off the gas mains grid and with a household income of less than £31,000, to improve their energy efficiency and so reduce energy costs. If eligible households in the Parish can be identified County Councillor Murday is happy to help with the application.

**2307/8 North Yorkshire Council Local Transport Plan:** A consultation by NYC was noted and it was agreed that the Council would respond with the following comments:

The Council agreed that the parish currently benefits from a good networks of footpaths / Public Rights of Way (PROW) and from being on the existing bus route. The Council agreed that it had concerns regarding:

- the frequency and cost of the bus service;
- uncertainty about the future of the bus service (including recent questions regarding the financial viability of the full existing timetable);
- the condition of road surfaces in places;
- road safety / adherence of drivers to a safe speed;
- protection of cyclists on the roads;
- availability of electric vehicle charging points within the area;
- the lack of a system for/to encourage car-sharing; and
- information to help parishioners understand the carbon impact of transport (including what it means).

It was agreed that these should all be areas of focus for NYC in its Local Transport Plan; **Clerk to submit response to consultation.**

**2307/9 Review of Council policies – Change to Financial Regulations (Full):** It was agreed that this policy should be changed to clarify the timing and scope of checks to be carried out by two Councillors every six months; **Clerk to action.**

#### **2307/10 Highways and footpaths:**

a. *Request from Open Country disability regarding the upgrade of two stiles within the Parish:* It was noted that a visiting walking group had experienced difficulties with two stiles on "Footpath 1" (from Main Street at Stonehaven to Darley Beck) and asked whether these could be remodelled to improve accessibility. The Council agreed that the NYC PROW team should be asked to give an opinion on whether both stiles were lawful and in an acceptable state of repair; **Clerk to action;**

b. *Parking on the pavement on the eastern end of Low Green:* It was noted that cars are often parked completely blocking the pavement and agreed that North Yorkshire Police should be contacted; **Clerk to action.**

c. *Accident on Main Street opposite Nidderdale Hill View:* It was noted that there had been an accident involving a car parked alongside Stocks Green / opposite the entrance to Nidderdale Hill View in late July 2023. Although it was not clear that the speed of any vehicles was responsible in this case, the Council agreed that North Yorkshire Police should be asked to carry out additional speed checks; **Clerk to action.**

#### **2307/11 Village Maintenance**

a. *NYC grass-cutting schedule (Low Green and outside the offices):* It was noted that NYC had confirmed that the weather in May and June had led to the grass-cutting teams struggling with the length of grass and that it expected to cut grass every month / four weeks in April, May, July, August, September and October each year. NYC confirmed that it was not possible to give an exact date for each cut.

b. *Correspondence from Darley in Bloom regarding Low Green and consider actions:* Darley in Bloom (DiB) expressed concern that the area of Low Green dedicated to wildflowers / re-wilding was unsightly and increased the number of weeds in nearby flower boxes provided and maintained by DiB. DiB also expressed concern that the infrequency of grass-cutting on Low Green also added to the weed problem and uncut grass being left on the surface of Low Green was also unsightly. DiB questioned whether grass-cuttings could be removed.

DiB noted that it believed that there were many verges in the village where wild plants and flowers thrived and requested that wildflowers be removed from Low Green. It also requested that the Council take on responsibility for cutting the grass on Low Green and outside the offices in order that grass-cutting could be carried out by the Parish Caretaker.

Two parishioners explained that the wildflower area, initially set up by Darley's Angels WI was there to improve biodiversity. It had been established with the help of an expert, but this year early cutting had meant that flower numbers were small. However it was a long-term project and should be left to mature. A change in its position was being considered. It was noted that management of the area was needed, and it was hoped a group could be set up to do this.

The Council agreed that it was important to note that within the Parish there are likely to be a range of views regarding the wildflower area. It was also important to note that Low Green is a communal space and as such should be available for a range of users and uses. It was noted that the Council agreed in July 2021 that it would consider environmental and climate impact in its decision-making.

The Council agreed that the best way forward was for representatives of DiB and the re-wilding project to meet to discuss the matter and to try to agree a compromise.

The Council noted that Low Green is owned by NYC and that proposals for Parish Councils to take on such assets were not currently being considered by NYC, meaning that taking over grass-cutting was not feasible at present.

The Council noted that removal of grass-cuttings was a common problem and that this possibly exacerbated the problems of Low Green appearing unsightly recently. The Council agreed that it should investigate the possibility of grass-cuttings being removed following the cutting of grass by NYC; **Chairman and Clerk to action.** The Council also agreed that it should investigate whether Low Green might be cut more regularly (i.e. with an additional cut between cuts carried out by NYC); **Chairman and Clerk to action.**

**2307/12 Reports:** It was noted that the Annual General Meeting of Darley Playing Fields Association is planned for Thursday 3 August 2023 and that Nidderdale Plus will be holding a coffee morning at Christ Church Community Centre in September 2023.

**2307/13 Clerk performance appraisal:** Chairman reported that the Clerk was agreed to be doing a good job and that he was happy that the salary (hours and rate) were well-matched to the role. It was agreed that the Council would support Clerk in accessing additional training (e.g. a training course for more experienced Clerks).

#### **2307/14 Finance**

- a. *Receipts and Payments noted:* Receipts: Deposit account interest to June 2023 £25.20. Payments: Eon Next electricity for Christmas tree lights (July) £5.
- b. The budget for July 2023 was approved.
- c. *Request from CCCC for a grant towards the cost of improving the West Entrance to Christ Church Community Centre:* It was noted that this project is aimed at improving accessibility to CCCC and the safety of users. The Council agreed that it would provide a grant of up to £1,500 to bridge any shortfall in funding for the project against its budgeted cost; **Clerk to notify CCCC.**
- d. *Reversal of HM Government Discount Energy Bills Support Scheme grants received by the Council:* It was noted that Eon Next had reversed all of the support scheme payments (totalling £400) on the June 2023 statement and that the new balance shown was approximately £85 in debit.

#### **2307/15 Correspondence received by the Clerk:**

- a. *YLCA - Yorkshire and Humber Climate Commission (YHCC) Consultations:* Four consultations were noted; **Clerk to circulate details;**
- b. *North Yorkshire Council - Request to promote recruitment to the North Yorkshire Local Access Forum:* A request for Councillors to consider joining the forum, which focuses on footpaths, bridleways, byways, open access land and green spaces outside of the National Parks, was noted; **Clerk to circulate;**
- c. *North Yorkshire Council - Adoption of the Parish Charter:* It was noted that NYC adopted a new Parish Charter on 18 July 2023; **Clerk to circulate;**
- d. *North Yorkshire Police, Fire and Crime Commissioner: 1 YEAR ON: Commissioner Zoë shares progress made to address Violence Against Women and Girls in North Yorkshire and York;* **Clerk to circulate.**

**2307/16 Items for Information and next Agenda:** None.

**2307/17 Date of next meetings:** 25 September, 30 October, 27 November, 29 January 2024, 26 February 2024

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