

BURTON LEONARD PARISH COUNCIL
MEETING: 4 September 2023 - 7.00pm (St Leonard's Hall)

AGENDA

NYC Status: Registered [ZC23/02432/TPO] | Received 03.07.23 | Validated 27.06.23
Thorn Bank, Scarah Lane, Burton Leonard, Harrogate HG3 3RS – Crown Lift 1no Ash tree by 12m and crown reduction due to disease.
7 August 2023: BLPC has no objection to the application

Clerk

NYC Status: Registered [ZC23/02849/FUL] | Received 07.08.23 | Validated 31.07.23
Fir Tree Farm, Apron Lane, Burton Leonard, Harrogate HG3 3SY – Erection of farm building

NYC Status: Registered [ZC23/02938/FUL] | Received 15.08.23 | Validated 14.08.23
1 Hymas Court, Burton Leonard, Harrogate HG3 3FE – Erection of 2no. glass roofed open sided canopies to the rear and side elevation.

On-going tree, informative notifications and other non-enforcement planning-related matters:

- iii. **NYC Status: Registered** [21/01249/SCREEN] | Received 19.03.21 | Validated 26.03.21
Screening opinion for development of solar farm and battery storage system. | Land Comprising Field At 431305 464500 Station Lane Burton Leonard North Yorkshire
12 Apr 2021: Cllrs Townson, Barwick and O'Kane had visited adjacent land and briefed the meeting on their findings: the scale and size of the development would be huge and visible from northerly-facing properties on Station Lane and westerly-facing properties on parts of Burnett Close, Peter Lane and Straight Lane. Tree and hedge screening was likely to be minimal and the site would be highly visible. The potential loss of good quality agricultural land was also noted. Whilst the benefits of renewable energy were understood, initial soundings amongst villagers who were aware of the proposal were more against than for. BLPC to consult more widely in the intervening period pending any full planning application. In the interim, agreed that BLPC would object. Clerk to advise HBC
10 Oct 2022: Clerk updated that HBC had referred this for environmental assessment and this appeared not to have concluded. Item to remain on agenda until situation clear.
6 Feb 2023: Clerk updated on Harmony Energy's email requesting a meeting with BLPC to discuss its proposals in advance of a potential planning submission later in 2023. Discussed and agreed that Clerk should offer date at one of forthcoming BLPC meetings - ideally with aim of 6 Mar 2023
6 Mar 2023: On behalf of Harmony Energy Ms Frances Nicholson and Ms Hannah Chapman updated on proposals for the solar farm. The intention being that consultation would be held initially and individually with those properties/residents closest and then via leaflets to all villagers followed by a drop-in session in the Village Hall. This would take place prior to a formal planning application. Headline details: Reduced area of revised proposals; increased screening planting, paths and possible green space. Two members of the public commented on the application and impact on a neighbouring property and use of good quality farmland for the location. Harmony Energy confirmed that a battery storage scheme was approved in September 2022. The Parish Council had not been made aware of this by HBC - Parish Clerk to check.
17 Apr 2022: Clerk confirmed that battery site was (just) outside Parish boundary and BLPC had not been consulted, but the South Stainley Parish Meeting had been and had confirmed it had no objection
15 May 2023: No updates received following the April meeting
26 June 2023: Clerk updated that Harmony have been invited to attend a meeting with BLPC to advise on revised layout of the solar farm. Representatives, Ms H Chapman and a colleague from Harmony have been invited to attend a meeting with the council on Monday 7th August prior to the Parish Council meeting to provide more information. Resolved that BLPC will gather all relevant information before discussing and deciding upon a further course of action at forthcoming meetings.
7 August 2023: BLPC met with a representative of Harmony energy prior to the Parish Council meeting who provided an update on the proposed solar farm. A full summary of the discussion is available on the Parish Council website and the village notice board. Harmony to be contacted

**Chair/
Clerk**

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to thank them for attending and to request full details and diagrams of the revisions as soon as possible in writing. Details of contact details for Harmony to be published to enable any residents closest to the development who have not been contacted by Harmony to get in touch with them. Cllr Barwick to also provide details to a resident who the Parish Council are aware has not been contacted.

- iv. **NYC Status: Registered** [21/03626/DISCON | Received 06.08.21 | Validated 06.08.21]
Approval of details required under condition 14 (groundworks) of Planning Permission 19/03854/FULMAJ: Partial demolition of Primrose House, demolition of existing commercial buildings, improvements to access from Copgrove Road, change of use of application site to residential (C3) and construction of 30 dwellings (including affordable homes) | Primrose House Copgrove Road Burton Leonard HG3 3SJ
- 12.09.21: Having considered the views of BLPC Cllrs, Clerk submitted an objection to work already undertaken relating to removal/replacement of 'conservation walls' at the new road entrance*
- 10.11.21: Clerk determined to submit a further objection since NYCC Highways has confirmed that the work relating to conservation walls has not been approved*
- 11.01.22: Clerk updated that further document updates had recently been added to HBC's Planning Portal. Also updated that adverse comments were still being received from villagers re the new wall construction, finish and height.*
- 18.04.22: Situation regarding the walls now built or under construction at Primrose House and The Lilacs discussed. Adverse comments continue to be received. BLPC to assess recent planning appeal refusal on Wigby Close and HBC enforcement action in respect of fencing (all in the Conservation area) and pursue further enforcement in relation to new walling adjacent Hymas Court roadway entrance*
- 05.09.22: Clerk reported (see also item 5.xi) that with a further precedent set by HBC re the Conservation area, he would now progress further enforcement requests relating to the walls at the entrance to Hymas Court*
- 10 Oct 2022: Clerk advised that he had not had time to submit input to HBC and that, in interim, HBC had cleared a large number of DISCONS (etc.) relating to this site. Nevertheless, a breach investigation request would be submitted relating to the walls facing Copgrove Road.*
- 07 Nov 2022: Clerk advised that other PC priorities and holiday meant that he had not had time to submit input to HBC*
- 05 Dec 2022: Clerk advised that other PC priorities meant that he had not had time to submit input to HBC*
- 09 Jan 2023: Clerk advised that other PC priorities meant that he had not had time to submit input to HBC*
- 06 Feb 2023: Clerk advised that other PC priorities meant that he had not had time to submit input to HBC*
- 06 Mar 2023: Clerk advised that other PC priorities meant that he had not had time to submit input to HBC*
- 17 Apr 2023: Clerk confirmed that NYC Planning and Conservation teams had been asked to evaluate in context of other similar planning enforcement actions in Conversation Area and a refusal of an application at Planning Inspector hearing; Cllr Windass requested a copy*
- 15 May 2023: Clerk confirmed an acknowledgement has been received in response to breach investigation request. Continue to monitor*
- 26 June 2023: Clerk to send copy of acknowledgement to Cllr Bappoo. No further update received. Continue to monitor*
- 7 August 2023: Cllr Bappoo submitted further details to NYC. Clerk has requested an update. Planning officer dealing with case on annual leave and update expected on his return after 14 August 2023.*

Cllr
Bappoo/
Clerk

- v. **Potential Enforcement matters:**
- a. **Siting of satellite dishes (estimated to be around 15) facing roads:**

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Write to residents in the Conservation Area with dishes that infringed planning guidelines. (Due after April meeting). Cllr Bappoo had circulated proposed letter draft to Cllrs.

15 May 2023: All residents with dishes that infringe conservation area guidelines have now been leafleted. Agreed that a three-month period would be allowed prior to further BLPC action.

7 August 2023: Parish Council have requested further guidance and clarification from NYC relating to information provided in a recent letter from a resident. No further action to be taken until a response is received from NYC planning. Clerk to provide response to resident.

**Clerk/
Cllr Bappoo**

- b. **Chartford Homes' development:** Assessment of adherence to approved landscape specifications. Cllr Bappoo to lead on formal assessment and input to NYC Planning via Clerk. Based on discussion of assessment produced by Clerk and Cllr Bappoo, enforcement request to be drafted by Cllr Bappoo for input to NYC Enforcement via Clerk. Noted that issues relating to planning/pruning (see 5.ii above) also related to this. Cllr Windass to be appraised.

26 June 2023: NYC advised as above and details provided.

7 August 2023: Ongoing issues as outlined in 5. (i) and (ii) above.

**Cllr
Bappoo/
Clerk**

6. Finance

i. **Bank Statement**

Latest bank statement approved by Chair

Clerk/Chair

ii. **Confirmation of Income and Expenditure since previous meeting**

Latest 2023-24 I&E summary (and expenditure) circulated in advance

Clerk/Chair

iii. **Invoice payments for approval**

a) Clerk Pay (Aug 2023): £357.33

b) Chess website monitoring: £11.99

Clerk/Chair

7. Members of the Public are invited to Address the Council with Questions or Comments

8. Councillor's Reports

i. **Installation of Speed gates following award of NY PFC grant funding**

Clerk to forward details of three contractors who have confirmed interest to Cllr Bappoo.

Potential contractors to carry out a walk around with councillors prior to quoting.

26 June 2023: Awaiting receipt of further quotes

7 August 2023: One further quote awaited

**Cllr
Bappoo/
Chair**

ii. **Verge bollards installation**

Clerk advised his interpretation that parish council powers relating to village greens allowed BLPC to install bollards on verges (eg. in vicinity of Copgrove Terrace) that were village greens and that this did not require the permission of NYC. The proviso being that bollards were set back 0.5m from the highway, compliant with relevant highways legislation for both road users and pedestrians and, preferably made of 'malleable' materials. However, the verge to the west of the church wall was not village green and an application to NYC under a street furniture licence would be required.

26 June 2023: Contractor to be appointed to carry out the installation of bollards. Cllr Bappoo to contact F & L.

7 August 2023: Cllr Bappoo has instructed the contractor to go ahead with the installation.

Awaiting date when this can be implemented.

Cllr Bappoo

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iii. **Bench refurb/painting/removal**

Clerk confirmed that F&L is in process of assessing/preparing a quote for the work. Cllr Bappoo advised he had received no alternative contractor interest. Clerk and Cllr Bappoo to move this forward once F&L quote is received.

26 June 2023: Contractor quote still awaited. Cllr Bappoo to contact as above to move this forward.

7 August 2023: Cllr Bappoo has reminded contractor to provide a quote for this work

Cllr Bappoo

9. Items for discussion/review/action

i. **Registration of village greens with Land Registry (due by 2025)**

Actions required – New Clerk to be briefed and take forward

26 June 2023: Clerk advised that enquiries had been instigated and advice sought from YLCA. Cllr Townson to contact the Public Sector Engagement team at Land Registry for further advice before proceeding.

7 August 2023: Ongoing. Cllr Townson has contacted the Public Sector Engagement team for further advice and a response is awaited.

**Clerk/
Cllr Townson**

ii. **Parking and traffic issues in lower village**

Setting of priorities discussed with more work to be done

Recent issues in vicinity of Church and Straight Lane reported by a resident

7 August 2023: The Parish Council have still not received a response from NY Police or the NY Police and Crime Commissioner regarding the parking issues highlighted earlier in the year or a visit from NY Highways to investigate the possible implementation of double yellow lines is also still awaited. The Parish Council are not able to enforce parking regulations. Cllr Townson and Cllr Larry to follow up on the above actions.

**Cllr Larry/
Cllr Townson**

iii. **Provision of disabled access to upper village green seating area**

See item 8. i. Quotes to be obtained at same time as those for Speed gate installation

26 June 2023: Awaiting further quotes

7 August 2023: Awaiting further quote in tandem with 8. (i) above.

**Clerk/Cllr
Bappoo**

iv. **Village litter bins**

Clerk to chase NYC re removal of bin to upper green.

26 June 2023: Bin on upper green has now been removed. Concrete slab where bin was sited is still in situ together with earthworks by the telephone box near The Old Post Office. NYC have been notified and requested to remove. NYC have agreed to action.

7 August 2023: Clerk has requested update on removal of slab and earthworks. Response awaited.

**Clerk/Cllr
Bappoo**

v. **Update on action items referred to NYCC to discuss/review following 3 Mar 23 walk-round with Area 6**

a) Road ponding in vicinity of Village Hall

b) Siting of streetlights and BT poles along Limekiln Lane as result of development

c) Various highways-related issues relating to Chartford Homes' site:

- Water run-off from site down Limekiln Lane and along Apron Lane
- No road markings nor signage in vicinity of site entrance (eg. give-way signs/lines)
- No updated road junction markings at Limekiln Lane/Copgrove road and junction not yet re-aligned
- Junction not finished to spec when exiting site to deter right turns onto Limekiln Lane (as intended under design guidance from Area6)

Clerk/All

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- Poor reinstatement of Limekiln Lane southerly verge following drain-laying works
- d) Request to Area6 for road plans and NRWSA approved contractors to install village 'speed gates'

07 Nov 2022: Cllr Townson and Clerk reported back on meeting/visit had been held with Cllr Windass who was believed to have been attending an NYCC Highways meeting the subsequent day and may have raised the matters. The Clerk had requested an update in advance of 7 Nov 2022 meeting - but none had been received from Cllr Windass.

09 Jan 2023: Cllr Windass advised that since matters were related to HBC Enforcement of planning conditions he had written to HBC. BLPC Clerk pointed out that most matters were not development-related and were the responsibility of NYCC Highways and LLFA. BLPC Chairman pointed out that BLPC was being held to account for lack of action. Subsequently agreed by BLPC Cllrs that a formal request for action would be made to Cllr Windass by BLPC Chair and that; failing effective action from NYCC a letter of complaint would be sent to NYCC's Council Chair and its CEO

6 Feb 2023. Clerk updated that, following Cllr Townson's email to Area6 (et al) Area6 had been in contact to arrange a walk-round date (timing yet to be confirmed)

6 Mar 2023: Clerk updated that he, Cllr Windass and Cllr Townson had completed a walk-round with three members of Area6's senior team on 3 Apr 2023 and that Area6's feedback was now awaited

17 Apr 2023: Cllr Townson advised that he had received late afternoon of meeting an email update from Area6. Neither Cllr Windass nor Clerk had seen the email. To be reviewed and any response to Area6 to be drafted for approval by Cllrs

15 May 2023: Clerk confirmed that an update was requested week commencing 8 May but no response has been received. Cllr Barwick to write to Cllr Windass

Update on flooding discussed. Video from resident relating to recent severe flooding has been received. Details to be forwarded by Clerk to NYC Highways.

26 June 2023: Clerk to raise issue of ponding in vicinity of village hall with NYC as a separate issue. Cllr Windass to be contacted for update. Clerk to write to resident regarding flooding to check if case notes are available that can be followed up by the Parish Council.

7 August 2023: Clerk has raised issue of ponding with NYC. Cllr Townson will submit recent video evidence of the ponding issues to both NYC and Cllr Windass.

Clerk contacted resident regarding flooding issues previously reported on Apron Lane. Video evidence has been forwarded to Yorkshire Water who have now raised a case reference on this report. Yorkshire Water have investigated and case is ongoing. NYC have recently cleared gullies on Apron Lane.

Two village residents have recently raised the issue of the junction of Limekiln Lane and Copgrove Road. This has been raised already on previous occasions with NYC Highways and Cllr Windass but with no response or action. Cllr Barwick has reported the issue again to NYC and to Cllr Windass. Residents on Chartford development to be contacted by Cllr Barwick and encouraged to take up these issues with the developers in addition to the actions of the Parish Council.

vi. **Weedkiller on grass verges**

Cllr Bappoo reported use of weedkiller was noticed on the grass verge on the approach to the village from the A61.

26 June 2023: Advice has been sought from NYC and a response is awaited.

7 August 2023: Response still awaited. No update received.

vii. **Potential projects for s106 fund bids**

Ideas to take forward for funding discussed: bench refurbishment; VAS speed warning signs; parish shelter refurbishment; holly bush potting on; improvements to road to sports field and associated lighting.

Awaiting clarification on funds available. Discussions ongoing with NYC regarding bids. Cllr Townson to lead on comms with interested parties.

**Cllr Bappoo/
Clerk**

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<p>BLPC has received an email from NYC Community Development Officer confirming that there is a sum of money for Burton Leonard to be spent against certain typologies, eg. AGSGC, Cemetery, Children and Young People and Village Hall. There remain a few questions to be answered by NYC before villagers will be asked to submit bids for projects that they may have in mind and want to spend commuted sums on. 26 June 2023: Awaiting further bids 7 August 2023: Further reminder to be put on village Facebook page reminding that these funds are for the benefit of the whole village.</p>	<p>Cllr Townson/Cllr Barwick</p>
<p>viii. Social Media and email – Use and policy Use of a Facebook page for BLPC under investigation. Further discussion required and policy to be agreed and adopted and published on BLPC website. Clerk to draft policy for discussion at next meeting. 7 August 2023: Further input from Cllr Bappoo required</p>	<p>Clerk/Cllr Bappoo</p>
<p>ix. Agree Financial Regulations BLPC financial regulations and standing orders reviewed and prepared for presentation to councillors at next meeting for agreement/adoption 7 August 2023: Financial regulations and Standing Orders have been reviewed and edited. Final document to be agreed before adoption.</p>	<p>Clerk</p>
<p>x. Rural Bus timetables 7 August 2023: NYC undertaking a renewal process. Request for comments on our local service to be posted in the village magazine.</p>	<p>Chair/Clerk</p>
<p>xi. D Day Celebrations – June 2024 7 August 2023: Further discussion required and other village organisations to be contacted to engage and collate ideas. Cllr Townson to take forward to Village Hall Committee.</p>	<p>Cllr Townson</p>
<p>xii. Parish Clerk Replacement David Taylor has been appointed as the new Parish Clerk replacing Angela Moore. Handover taking place. Angela to be point of contact for ongoing issues if required.</p>	<p>New Clerk/ Old Clerk</p>
<p>xiii. Community Engagement Plan To be discussed</p>	
<p>xiv. Speed Limits - New approach to managing speed limits in North Yorkshire Letter from NYC – To be discussed</p>	
<p>xv. Remembrance Event Reminder</p>	
<p>10. Confidential Items NYC Planning Enforcement Notifications 22/00407/PR15 23/00112/BRPC15 Nothing to add</p>	

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Meetings Schedule

All meetings will be held on Mondays starting at 7.00pm at St Leonard's Hall unless otherwise state. (Significant business items are annotated in italics)

2023/2024

2 October 2023

6 November 2023

4 December 2023

8 January 2024

5 February 2024

4 March 2024

15 April 2024

13 May 2024 Including Annual meetings

10 June 2024