

BURTON LEONARD PARISH COUNCIL
MEETING: 1 July 2019 (7.30pm - St Leonard's Hall, Burton Leonard)
MINUTES

Present

Cllr K Townson (Chair)

Cllr F Barwick, Cllr. P Bappoo, Cllr A O'Kane, Cllr C Trout, P Thornhill (Parish Clerk)

21 members of the public attended for items 1-3 and then left the meeting

Mr R Gilpin (owner Hare & Hounds) and Mr N Wright (for Kyme Homes) attended for items 1-3 and then left the meeting

Mr R Clark spoke (representing the property owner) on item 6.iii and then left the meeting

1. APOLOGIES FOR ABSENCE

Cllr Z Metcalfe (HBC), Cllr M Harrison (NYCC)

2. DECLARATIONS OF INTEREST IN ITEMS ON THE AGENDA

None

3 MEMBERS OF THE PUBLIC ARE INVITED TO ADDRESS THE COUNCIL WITH QUESTIONS OR COMMENTS

i. Hare & Hound planning application

Summary representations and comments relating to Item 6.i are contained in Annex 1 to these minutes

ii. Parish Council funding bid for UCI cycle race

Cllr Townson updated that funding bid to HBC for disabled access to upper green and commemorative sculpture had been rejected by HBC. However HBC were prepared to fund the art trail brochure within the bid - although there would be no art in the village to see. After discussion with HBC it had offered to fund bunting for the event.

4. APPROVAL OF MINUTES FROM THE PREVIOUS MEETING HELD ON 20 MAY 2019 AS A CORRECT RECORD

Proposed: Cllr Bappoo; Seconded Cllr Barwick. Carried unanimously

5. MATTERS ARISING FROM THE MINUTES NOT COVERED BY THE AGENDA

None

6. PLANNING

Notifications received since last meeting:

i. HBC Status: Registered [19/01971/FUL | Received 09.05.19|Validated 15.05.19]

Demolition of former public house and erection of 5 no. dwellings including the creation of new access, associated parking and landscaping. | Hare And Hounds Mill Lane Burton Leonard HG3 3SG. *Submission to be drafted/submitted to HBC reflecting concerns expressed by members of the public.*

ii. HBC Status: Registered [19/02234/FUL | Received 24.04.19|Validated 24.04.19]

Formation of an outdoor swimming pool | Lime Kilns Farm Limekiln Lane Burton Leonard HG3 3TE

iii. HBC Status: Registered [19/02244/DVCON | Received 28.05.19|Validated 28.05.19]

Deletion of conditions 2 (roof space) and 3 (permitted development) to obtain permitted development rights from planning permission 97/03225/FUL - Substitution of house type on plot 2. | Ingleside 8 Peter Lane Burton Leonard Harrogate North Yorkshire HG3 3RZ. *Having listened to representations and following discussion it was unanimously agreed that BLPC would not object to the proposal*

iv. HBC Status: Registered [19/02502/FUL| Received 13.06.19|Validated 20.06.19]

Conversion of outbuildings to form 1 dwelling | Park House Station Lane Burton Leonard HG3 3RX. *Following discussion and having reviewed plans and site prior to meeting it was unanimously agreed that impact would be negligible and that BLPC would make no input to HBC.*

Notifications decided since last meeting:

v. HBC Status: Registered [19/01693/CLOPUD| Received 16.04.19|Validated 16.04.19]

Certificate of lawfulness for the erection of swimming pool. | Lime Kilns Farm Limekiln Lane Burton Leonard HG3 3TE

Major applications on-going:

vi. HBC Status: Awaiting decision [17/00525/FULMAJ| Received Mon 6 Feb|Validated Fri 17 Feb 2017]
 Erection of 23 no. dwellings: 1 Copgrove Road Burton Leonard HG3 3SJ (Hymas Haulage)

vii. HBC Status: Registered [17/01006/OUTMAJ| Received 06.03.17|Validated 21.03.17]

Revised scheme: Outline planning permission with access considered for the construction of approximately 31 residential dwellings: Land Comprising Field At 432759 463602 Copgrove Road Burton Leonard North Yorkshire.

08.05.17: *BLPC unanimously agreed to Option B: The Parish Council objects reference the objections*

ACTION

Cllrs + Clerk

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submitted on 8th May 2017 documents: 8811146, 8811147, 8811149. 09.04.18 letter sent from BLPC re flooding on the area. 03.12.18 email to NYCC LLFA & HBC on flood risk on/off site. 11.12.18 email to HBC re broader objections

On-going applications:

- viii. **HBC Status: Registered** [19/01906/CLOPUD | Received 03.05.19 | Validated 03.05.19]
Certificate of lawfulness for the erection of single storey extension. | Rosings Station Lane Burton Leonard Harrogate North Yorkshire HG3 3RU
- ix. **HBC Status: Registered** [19/01879/FUL | Received 01.05.19 | Validated 07.05.19]
Erection of 2 no. single storey extensions, installation of a bay window and alterations to fenestration. Part conversion of outbuilding to form additional living accommodation including erection of a porch, installation of rooflights and alterations to fenestration. | Hambleton Grange Station Lane Burton Leonard Harrogate North Yorkshire HG3 3RX.
Following discussion and having reviewed plans and site prior to meeting it was unanimously agreed that impact would be negligible and that BLPC would make no input to HBC.

On-going tree and enforcement notifications:

- x. **HBC Status: Alleged Breach** [18/00545/BRPC15 | Received 04 Oct 18]
2 storey extension not built in accordance with the approved plans (17/00096/FUL): Manor House Mill Lane Burton Leonard Harrogate North Yorkshire HG3 3SG.
HBC has confirmed that this has been resolved and that there was no breach
- xi. **HBC Status: Alleged Breach** [19/00233/BRPC15]
Access drive to south of Flatts House, Scarah Lane. HG3 3RS

7. FINANCE

- i. **Bank statement:**
Bank statement circulated in advance of the meeting approved by the Chairman
- ii. **Income and expenditure:**
I&E statement circulated in advance of the meeting approved by the Chairman.
- iii. **Notification of receipts:**
None this period.
- iv. **Invoices to approve for payment:**
- a) Clerk, P Thornhill for July 2019 £300.69 gross, BACS.
 - b) Clerk, P Thornhill for August 2019 £300.69 gross, BACS.
 - c) Yorkshire Accountants Ripon (Inv 0419010025 £36.00), BACS.
 - d) Mrs M Barker/BL Sportsfield Trust per pro AGAR internal audit £75.00, Cheque
 - e) Yorkshire Water - Fountain (Inv 13/06/19): £6.55, BACS
 - f) Farm & Land Services (grass cutting inv 5368): £204.00, BACS.
- v. **Current banking signatories:**
Cllr O'Kane can raise BACS payments and Cllrs Barwick & Townson confirmed they are both now able to authorise.
- vi. **AGAR:**
Clerk updated Councillors as follows:
- a) The internal audit had been completed with a positive outcome
 - b) There had been a few minor inconsequential queries that had been discussed and resolved with the internal auditor
 - c) As a result of the audit the Clerk (acting as RFO).advised the Councillors that the process for approving BACS payments would be modified slightly such that in addition to providing a minuted copy invoice to Cllr O'Kane, this would also be copied to Cllrs Townson and Barwick (currently) to provide a cross-check when approving the sum to be paid. This would better align on-line BACS approvals with the process for raising and approving a cheque
 - d) The trigger for a BACS payment would continue to be the Clerk supplying a minuted copy invoice - but now to all Councillors involved in the BACS electronic payment approval process
 - e) The AGAR Notice of Public Inspection for documents had been published on 28 June 2019, with the inspection period running from 1 July to 9 August 2019

8. CORRESPONDENCE

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<p>i. Summary List Circulated in advance of the meeting</p>	
9. COUNCILLORS REPORTS	
<p>i. Parking in vicinity of upper and lower village greens and vehicle speeds through the village Meeting updated by Cllr Trout on costs of installing variable location speed signs. Costs would have to be borne out of s137 funding and costs were estimated as being at least £3,360 - which would be almost the entire annual s137 expenditure allowance for the Parish. Noted that the grass verge adjacent to the Church was now being used for partial parking of vehicles and that this was believed to be associated with visitors/staff at Dementia Forward. Clerk to check conditions of planning approval for Methodist Chapel conversion now occupied by Dementia Forward</p>	<p>Cllrs O'Kane & Trout</p> <p>Clerk</p>
<p>ii. School access road update Noted that work has now begun on access road repairs and that the bitumen/stone wearing surface remained to be laid</p>	
<p>iii. Neighbourhood Plan Discussion to be carried forward to next meeting</p>	<p>Cllr Townson</p>
<p>iv. Potentially dangerous wall on Dolly Walk – unsafe wall Discussion to be carried forward to next meeting</p>	<p>Cllr Townson</p>
<p>v. Christmas lights permanent power feed Cllr Trout provided a brief update on costings</p>	<p>Cllr Trout</p>
10. ITEMS FOR DISCUSSION/REVIEW/ACTION	
<p>i. Standing orders Inclusion on website - on-going</p>	<p>Clerk</p>
<p>ii. Absence of road markings along Apron Lane Clerk noted that contractors centre line guide markings were now on the road surface and that the final work on centre line markings seemed imminent</p>	<p>Clerk</p>
<p>iii. Dates for 2020 Parish Council meetings Dates previously circulated confirmed. Clerk to book St Leonard's Hall for 2020 dates</p>	<p>Clerk</p>
<p>iv. UCI Cycle Race passing through village Item 3.ii provides Cllr Townson's update. Members of BLPC thanked Cllr Townson for his considerable effort in submitting the bid, noted their disappointment at the outcome and agreed that if HBC were funding bunting at no cost to BLPC then this should be pursued. Subject of disabled access to upper village green to be added to next meeting agenda</p>	<p>Cllr Townson</p> <p>Clerk</p>
<p>v. Village tree planting scheme Cllr Bappoo outlined his thoughts. Agreed that these should be developed in a longer term costed tree planting plan.</p>	<p>Cllr Bappoo</p>
<p>vi. Village Feast risk assessment Cllr Townson confirmed that he had received details of the Risk Assessment and Insurance from the Feast Committee. To be forwarded to Clerk for files</p>	<p>Cllr Townson</p>
<p>vii. Request for payment of contribution to legal costs incurred by BLOG</p>	
<p>a) Cllr Townson reported that although Burton Leonard Opposition Group (BLOG) had not incurred Counsel's fees in relation to its aborted Loxley Homes Phase 1 legal challenge in late 2018 BLOG had recently contacted him to request BLPC's contribution to BLOG's instructing solicitors costs</p>	
<p>b) BLOG's Treasurer had subsequently written formally and included an invoice for services provided to BLOG. The Clerk noted that the invoice supplied was not for legal costs and would therefore not support BLPC's payment audit trail.</p>	
<p>c) Cllr O'Kane produced a copy of the minutes for the 1 October 2018 BLPC meeting confirming an s137 payment of £780 (inc VAT) to BLOG. The Clerk noted that his recollection was that BLPC had formally rescinded the payment at a subsequent meeting since BLOG had advised that they would not incur legal costs and that he would check the minutes records</p>	<p>Clerk</p>
<p>d) Notwithstanding, it was resolved that since BLPC had originally committed to supporting (under s137) BLOG's costs relating to its legal challenge, that BLPC would reinstate its £780 (inc VAT) funding contribution as minuted on 1 October 2018.</p>	
<p>e) Payment to be made on receipt of a copy invoice showing BLOG incurring legal costs of at least £780 (inc VAT)</p>	

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viii. **Items for Parish Magazine**

- a) Thanks to Mountgarret Estate for footpath work
- b) Thanks to Feast Committee for organising
- c) Thanks to Cllr Harrison for resolving school access road resurfacing

Cllr Townson
+ Clerk

11. DATES OF NEXT MEETINGS

Monday 2 September 2019: 7.30pm St Leonard's Hall
Monday 14 October 2019: 7.30pm St Leonard's Hall
Monday 2 December 2019: 7.30pm St Leonard's Hall

12. CONFIDENTIAL ITEMS

None

The meeting ended at 9.30pm

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ANNEX 1: SUMMARY NOTES OF COMMENTS RECEIVED UNDER AGENDA ITEM 3.i (HARE & HOUNDS REDEVELOPMENT)

Members of Public comments:

- Impact of removal of H&H for future generations of villagers - perceived as an old building in the village with history
- Planning rules: should be for community use
- Pub not been advertised and/or if so not effectively
- In conservation area
- Brought people into the village over the time it was open
- Removal from community use
- Evidence of unavailability is due to poor performance of tenants in recent years
- Opposition to the number of properties on the site - if developed seems a preference to have one or two houses
- Overlooking and quality of life for those close by
- H&H may have a greater long-term potential as a destination food/drink outlet; some concern expressed that Royal Oak not well configured in this regard and more readily convertible to property - consequently village at risk of losing 2 pubs in the longer term
- Loss of 'critical mass' in the village as a 'destination' - ie down to one pub and village shop
- Loss of large venue for some types of social events and fund-raisers
- Concern of over-development of village for housing
- Suspicion of developer paying for biased report on marketability
- Request that BLPC should ask that this is determined at full Planning Committee

Mr Gilpin's response:

- Fleurets - always been marketed and sale board up/prominent
- Subsidised out of own pocket £100,000s over last few years
- Star Pubs not interested (*response in context of member of public's points about destination food/beer pubs*)
- Consulted village - got supportive response at his event
- Still for sale during time of planning application/consultation
- Difficult to staff/heat
- £400,000 = break-even

Mr Wright's response:

- Shows sold STC because developer has contract to purchase
- Has had viewings even whilst STC
- Marketing info/response/viability assessment has been supplied to HBC but is not on its planning portal
- Explained design constraints of conversion of existing building to dwelling
- Noted that Planning Authority also has a role to play in determining design and what goes on site