

Minutes of a Meeting of Middleham Town Council held in the Richard III Room at Middleham Key Centre on Wednesday 22 June 2022 at 6.30 pm. (SUBJECT TO APPROVAL AT NEXT COUNCIL MEETING)

Present

Chairman Cllr Mrs S Fairhurst, Cllr Mrs H Byford, Cllr Mr G Fortune, Cllr Mr S Mashford, Cllr Mrs L Skelton.

County Cllr Mrs K Sedgwick

Member of the public: Mrs R Thompson, Mr D Palethorpe, Mrs Diane Russell, Mr E Davies

Clerk Mr D Keep.

Action

1. Death of Cllr Nigel Hopper. A minute's silence was observed in remembrance of Cllr Nigel Hopper who passed away on 8 June 2022.

2. Open Forum.

A damaged gate on a footpath would be reported to Mr Tennant, the landowner.

Cllr Byford

3. Introduction and Apologies.

3.1 Apologies. The Chairman declared the meeting open. All Councillors were present.

3.2 Declarations of interest regarding items on the agenda. No further interests other than those previously notified were declared in matters on the agenda. The Clerk would recirculate existing declarations of interests for updating, where required, signing and redating.

Clerk / All

4. Minutes.

4.1 Minutes of the previous council meetings

IT WAS RESOLVED to accept the minutes of the Council meetings held on 11 May 2022 (including the confidential minute) as a true and accurate record to be signed by the Chairman of that meeting:

4.2 The schedule of agreed actions. Noted. An update was received on the following matters.

29/1/20 7.1 Possible tasks for community payback programme. It was noted with disappointment that organisers were unable, indefinitely, to arrange transport of offenders to Middleham to carry out community projects suggested by Council. It was hoped that the project might be possible once new vehicles had been purchased.

11/5/22 3 The previous meeting had discussed 'adoption' of the three dog waste bag dispensers to ensure restocked: this was being undertaken by Mrs Thompson, Mr Adam Gray and Cllr Fairhurst, who were thanked for undertaking this task.

11/5/22 8.4.3 Employment of a handyman. Mr Palethorpe was suggested for suitable tasks.

4.3 Confidential and Urgent Items. There were no other urgent matters. Matters were discussed and are recorded in the confidential minute book.

5. Town Council - Information/Decision Required

Action

5.1 Co-option of Councillor. Three applications were received, each candidate spoke regarding their application. At this point, the applicants and the Clerk left whilst the appointment was discussed. Following deliberation, the candidates returned. **IT WAS RESOLVED to co-opt Mr Palethorpe as Councillor.** The Mayor thanked the unsuccessful candidates. Mr Palethorpe signed a declaration of acceptance in the presence of the Clerk and duly joined as a member of the Council.

5.2 Councillors' report of meetings attended, and actions undertaken (standing item). No other meetings were attended other than as reported elsewhere in these minutes.

5.3 Matters of local interest and concern as reported to Councillors or on the Residents' Facebook page. Recent reports of a householder seeking to restrict parking on the Town Wastes in front of their property were discussed. It was agreed not to take specific action at this time but to recirculate previous letters to all householders reminding that parking was available to everyone on a first come basis and could not be reserved.

Clerk

5.4 Council Matters:

5.4.1 Report from Town meeting on 18 May 2022. The Mayor reported that on a disappointingly small turnout to hear the interesting talks by County Cllr Sedgwick and PCSO Gwatkin from the Police licensing team.

5.4.2 Council objectives and priorities for the current year. The Mayor opened discussion referring to high levels of activity, including recent arranging activities over the Jubilee weekend, MKC business review, discussions with Trainers regarding the Moor Lease and ongoing land maintenance and parking issues. No specific objectives were agreed at the current time.

5.4.3 Establishing standing Council Committees. It was felt that establishment of committees for specific areas of responsibility, for example, staffing, finance and internal control, did not confer benefits over these matters being dealt with by Council as a whole, not least because council committees were still obliged to be formally convened and meetings minuted. There was however consensus that smaller working groups could focus on certain tasks such as cobbles inspection. This would be discussed again at a future meeting.

Clerk

5.4.4 Allocation of specific areas of interest to Councillors. Suggested areas of interest included monitoring footpaths, understanding of planning application procedures (currently undertaken by Cllr Byford), liaison with MSCWA, leased land, MKC, YLCA representative etc. It was felt that due to diverse areas of activity required that there was potential benefit from appointing a 'lead' councillor for certain areas where more detailed knowledge and action was required. It was agreed that recent working groups for cobbles inspection and internal controls had worked effectively. This would be discussed again at a future meeting.

Clerk

5.4.5 Delegation of certain powers to the Clerk. It was Resolved that over the summer break that the Clerk be authorised to submit comments on any planning applications received, provided that feedback had been sought from Councillors.

5.5 Land Management Issues (standing item).

5.5.1 Storm drains on Council Lands. Area 1 was now in a position to share feedback from recent surveys of drains and had proposed a meeting in Middleham to look at the findings, to be attended by Cllr Byford, Cllr Fortune and Cllr Mashford. This would also discuss whether NYCC could provide jetting services for drains on Council-owned land.

Cllr Byford
/ Cllr
Fortune /
Cllr
Mashford

5.5.2 The Moors: access and use by individuals and groups during training hours. A verbal summary from Cllr Fairhurst and copies of email communications were received from a licensed local equestrian school outlining objections by racehorse trainers to its activities operating riding lessons. Council was concerned at the allegedly confrontational approach by named trainers, which had upset the young people whilst children under the school's supervision were accessing the bridleways prior to 1pm, as they are entitled to. Its entitlement to do so, without charge, had been made clear by

Action

Cllr Byford when the trainers involved had called her. One matter had been reported to, and investigated by, the Police, although it appeared no action would be taken against the individual. Council discussed how to respond, agreeing that it did not appear to justify engagement as mediator or to convene a meeting. Council would however draft a letter to trainers and the equestrian school setting out the scope for access to bridleways during the times that open access was restricted.

Cllr Fairhurst confirmed her own observations that cars very often drove at excessive speeds whilst passing the equestrian school, which was a cause for concern.

An increase in camping close to Pinkers Pond had been seen, although in the current dry weather fewer vehicles had become stuck in mud. It was agreed to proceed with an earlier plan to ask MTA to create a mound and trench, similar to that at Penhill.

Clerk**5.6 Police Matters.**

5.6.1 Monthly Activity Report from Neighbourhood Team (standing item). A report for May had not been received.

5.6.2 Update on local staffing levels. A report from the local sergeant had been received. It was agreed not to raise concerns at the current time.

5.6.3 Feedback from North Yorkshire Police, Fire and Crime Commissioner virtual meeting with YLCA branches 26 May 2022. YLCA and County Cllr Sedgwick had circulated reports of the meeting. Council was very pleased that the Commissioner intended to meet in Middleham to discuss local concerns regarding drugs.

5.6.4 PFCCC consultation on Fire Emergency services reorganisation. Councillors would review the proposals which had prompted concerns expressed by other councillors at the recent YLCA branch meeting about their potential impact upon services in rural areas.

All**5.7 Update on Unitary Authority.**

5.7.1 Recent developments. County Cllr Sedgwick joined discussion regarding evolving arrangements for the new authority. Concerns about current lack of knowledge of new organisation structures and potential implications for continuity of service provision had been expressed both at the Town meeting and recent YLCA branch meeting. County Cllr Sedgwick sought to reassure that key services provided by District and County levels, for example planning and refuse collection would continue. Mercury House would remain the local office for Richmondshire, although initial expectations that each market town would have its own office would not materialise and instead would be part of a local 'network'. At the current time there was not a 'blueprint' for the likely arrangements. As the recently elected member, County Cllr Sedgwick was happy to take on any concerns that the Town Council might have and would continue to report back. Councillors would seek to attend online briefings, dates for which had been circulated.

All

5.7.2 Feedback on service levels provided by RDC for period to 31 March 2023. Some concerns were expressed at possible implications from staff departures from RDC and reduced scrutiny and accountability as recent District Council and committee meetings were less well-attended and of shorter duration. This would be monitored.

5.8 Banking services in Middleham. Regular scheduled visits by a Barclays Bank mobile advice centre from had been arranged by Racing Welfare. Banking services would not be provided, only advice. Banking was available from the Post Office.

**Cllr
Fairhurst /
Clerk**

5.9 Documentary Filming in Middleham. Proposals for filming community life in Middleham during September were received for information. The filmmaker from The Northern Film School at Leeds Beckett University, had reached formal agreement with local groups interested in taking part.

5.10 Yorkshire Local Councils Associations One-Day Conference Friday 23 September 2022, Leeds. Councillors agreed to review the programme of events and consider attendance if relevant.

All

Action**6. Review of Health & Safety and Environmental Matters (standing item).**

6.1 Play Areas Inspection reports. RDC's explanation, that its recommendation that benches and tables in play areas should be bolted down was to prevent users moving them which might be to within close proximity to play equipment, was noted.

6.2 Roads and paths.

6.2.1 Surfaces concerns. There was discussion about the deteriorating surface in Canaan's Lane. Rather than seek to coordinate this, Council felt that residents and businesses along the track should liaise to improve the surface. It was agreed to write to Mr Haslam as it was the larger vehicles regularly accessing his stables that were the principal users.. The deteriorating condition of the adjoining adopted road at Castle Hill / Back Lane would be reported to Area 1.

Clerk

Cllr Byford had reported creasing to the surface on Kirkgate to Area 1 Highways.

6.2.2 Street Lighting. An update on light repairs and progress with installation of the requested additional lamp on Park Lane had still not been received, so would be chased again.

Clerk**6.3 Environmental Matters.**

6.3.1 Tree condition. Guards around young trees near Pinkers Pond appeared to have come loose and required either removal or reattaching. The tree consultant would be asked for an opinion. The Clerk had requested an update on Lower Wensleydale Biodiversity Action Group's current activity.

Clerk**7. Project Updates:**

7.1 Burial Ground. The Clerk was now dealing with residents' requests to purchase exclusive rights of burial.

7.1.1 **MSCWA.** A request by the cricket club for permission to erect new signs was approved.

Clerk**7.2 Key Centre.**

7.2.1 Report from New Trustees. Cllr Byford, as chair of trustees, reported that an updated business review was being undertaken and would be reported at the next meeting.

7.2.2 MKC / Neville Hall Hedge. A request had been received from the householder that weeds and ivy encroaching onto their land from the Key Centre be cut back. A costing would be obtained. Concern was expressed that the tall leylandii trees on adjacent property overshadowing the Key Centre might be a factor behind moss growth in the car park and enquiries would be made regarding plans to cut back.

Clerk**Clerk****8. Events in Middleham (standing item).**

8.1.1 Platinum Jubilee Bank Holiday Thursday / Friday 2/3 June. Feedback expressed on the Residents Facebook page thanked Councillors for arranging a very successful and enjoyable series of events over the weekend. A summary of expenditure was received.

8.1.2 Seniors' Coach outing. A booking had been made for a trip to Whitby.

8.1.3 Super-Feast Day. Organisers had confirmed that the event would be held over the August Bank Holiday weekend, again on the playing fields, and would arrange its own insurance.

8.1.4 Middleham Pleasure Ride, Sunday 21st August. Details of the event organised by Racing Welfare and Hurworth Hunt, in agreement with the trainers, was approved by Council.

8.1.5 Oktoberfest. Cllr Mashford confirmed that the event, held for the first time last year, would be repeated on 1 October 2022. Full details would be submitted to Council.

**Cllr
Mashford****9. Planning**

9.1 Planning decision notices received since the last meeting:

Action

9.1.1 Full Planning Permission for Redevelopment of Existing Racing Yard at Manor House Farm, Middleham, Leyburn, North Yorkshire, DL8 4RH 21/000285 **Granted**

9.1.2 Full Planning Permission for a Detached Garage Building, Braeval Park Lane Middleham DL8 4QZ 22/00213 **Granted**

9.2 Planning Applications.

9.2.1 Certificate of Lawfulness Proposed to replace six wooden sash windows with six wooden sash windows in the existing openings with no change of colour, material or design at Castle Hill Cottage, Castle Hill, Middleham, DL8 4QR 22/00170/CLP. **No objection, comments submitted between meetings**

9.2.2 Listed Building Consent for Re-locating First Floor Partition Wall, Repairing and Replacing Windows, Inserting Conservation Rooflights, Replacing Rain Water Goods, Demolition of Existing Outbuilding and Erection of New Garden Room and Store at School House, West End, Middleham, DL8 4QG 22/00295 **No objection**

9.2.3 Discharge of Condition 2 Attached to Listed Building Consent 21/00732/LBC at Laundry Cottage, West End, Middleham, DL8 4QL 22/00337 **No objection**

9.2.4 Full Planning Permission for Extension and Alterations at Hazeldene, Kirkgate, Middleham, DL8 4PG 22/00279 **No objection**

9.2.5 Full planning permission for retention of structure known as 'The Tower', with modified design at Forbidden Corner, Tupgill Park Estate, Coverham, Middleham, DL8 4TJ R/60/30V. **Council had not objected to the original application and no change to this outlook.**

9.2.6 Full Planning Permission for Circular Gallop, Manor Farm Middleham DL8 4RH 22/00330/FULL **No objection**

9.2.7 Variation of Condition 2 Attached to Planning Permission 21/00285/FULL - Amendment to Approved Site Plan D036/1/26 Rev K - Orientation of Approved Machinery/Hay Straw Building to Avoid Overhead Electric Wires, various Amendments to Window and Doors at Manor Farm, Middleham, DL8 4RH 22/00369/VAR. **No objection**

9.3 Potential Planning Enforcement Issues. No new matters raised.

10. Finance – Information/Decision required

10.1 IT WAS RESOLVED to approve the schedule of direct debits and internet bank transfers to approve and ratify all payments since the last Meeting as set out on the payments schedule.

10.2 Specific expenditure approvals: A quotation from S Duffus Fabrication for £430 to repair and repaint a metal finger signpost damaged by a vehicle some years ago repair was considered expensive, on account of the work required, and the alternative costs for purchase of a new sign would be obtained.

Clerk

10.3 Renewal of Insurance Policy. Renewal of the insurance policy from 1 June 2022 had been completed. A paper from the Clerk summarised the background to the significant increase in premiums payable, being £1,872.01 (2021: £945 ie 37% increase) which exceeded the budget estimate of £958. This was in part due to increased market premium rates, reclassification of certain items by insurers and £575 in respect of the addition of the burial ground wall. Following discussion, it was agreed that the costs should be reduced and as the possibility that the burial ground and wall would be a loss as thought to be unlikely, that it should be removed from the asset inventory so the premium could be reduced.

Clerk

10.4 Annual Accounts for Year Ended 31 March 2022.

10.4.1 Draft final accounts. A copy of the draft annual return (officially known as Annual Governance & Accountability Return' or 'AGAR') and various other documents referred to below had been circulated prior to the meeting. Also distributed were summary sheets showing the transactions that supported the AGAR. The Clerk drew attention to the following matters:

- Deadline for completion of the AGAR was 30 June 2022 for submission to the external auditor.

Action

- Unlike the previous year, Council was ineligible to be exempt from the requirements for external audit as its gross income exceeded £25k. Accordingly it was subject to a limited assurance review by the government-appointed external auditor.
- There was a prescribed order for consideration of the accounts set out in Instructions relating to AGAR.

10.4.2 Report of the Internal Auditor. A 'clean' report had been received and the Internal Auditor had signed page 3 of the return.

10.4.3 Annual Governance Statement. It was noted that an internal review of controls had been undertaken by Councillors Fairhurst and Mashford in conjunction with Ms Duke, the internal auditor, following the year end rather than during the year and that an updated risk review document had been circulated by the Clerk. Having considered each individual assertion, a 'yes' response was agreed in each case. The annual governance statement on page 4 was approved.

10.4.4 Accounting Statements for 2021-22. The meeting considered the Accounting Statements as a whole. After careful consideration and having been proposed by Cllr Skelton and seconded by Cllr Byford **IT WAS RESOLVED** to approve the Accounting Statements and that they be signed and dated by the Mayor presiding at the meeting.

10.4.5 Bank Reconciliation Statement. The Clerk confirmed that this document reconciled with the Cash Book as at 31 March 2022, adjusted to exclude transactions on behalf of the Charity.

10.4.6 Dates for exercise of public rights (inspection period). These had been drafted by the Clerk, were noted and approved.

10.4.7 Explanation of variances. The explanations were noted and approved.

10.4.8 The Chairman and Clerk were authorised to sign off the relevant paperwork and the Clerk was instructed to make the necessary arrangements for submitting the AGAR electronically to the external auditor and to place the required documents onto the Council's website for public inspection.

On behalf of the Council, the Chairman thanked the Clerk for his oversight of the annual return process.

10.4.9 Asset register as at 31 March 2022. A copy of the asset register was received for information and is attached to these minutes.

10.4.10 Internal Audit Fee. The payment of the agreed sum of £150 to Kim Duke Accounting Services had been approved at a previous meeting.

10.5 Updated Risk Assessment Review. The document as tabled. Cllr Fortune and Cllr Mashford would carry out a review and report to a future meeting.

10.6 Clerk's contract of employment. Recorded in confidential minute book.

**Mayor /
Clerk**

**Cllr
Fortune /
Cllr
Mashford**

11. Suggested items for the next agenda.

- 11.1 Second home policy – to consider lobbying unitary authority to adopt
- 11.2 Tree planting in Middleham
- 11.3 Local Councils and Climate Change.

The next monthly meeting will be held on Wednesday 7 September 2022.

There being no further business the chair declared the meeting closed at 9.40pm (following conclusion of discussion of confidential items)

Signed.....Date.....