

Minutes of a Meeting of Middleham Town Council held in the Garden Room at Middleham Key Centre on Wednesday 7 September 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 Mr D Palethorpe, Cllr Mrs L Skelton.

County Cllr Mrs K Sedgwick

PCSO Donald Watson

Members of the public: As the attached attendance sheets

Clerk Mr D Keep.

Action

1. Open Forum.

The following matters were raised:

- Mr Fletcher, having asked about public speaking rights at Council meetings, was apprised of the relevant rules governing council meetings.
- In response to his request to comment on the outcome of Council's discussion of parking issues under agenda item 4.5.3, Mr Strickland was informed by the Mayor that members of the public could only speak or ask questions during the Open Forum at the start of all Council meetings. Mr Strickland spoke of his concerns about parking issues, mostly affecting the lower end of the market square; whilst accepting that residents did not have an exclusive right to park, he felt that the right balance between householders and other users had not been struck, and that issues had worsened in recent years.
- Mr Sanderson, on behalf of Middleham Sports and Community Welfare Association, reported on his liaison with most of the users of Canaan's Lane; to date each had agreed in principle to contribute towards funding of resurfacing, that would also include the track into the playing fields. He would prepare an application to RDC for funding but, as MSCWA had recently successfully applied on another project, suggested that the surface improvements application should be made by the Town Council. This was agreed. Council would also consider making the contributing suggested, i.e. £1,500 at a future meeting. Mr Sanderson would report back once discussions with all users were complete.
- Mrs Thompson reported ivy growing over walls alongside the church ginnel. The Clerk would raise with the owner of Middleham House and suggest that he may wish to engage the Council's grounds contractor.
- Overnight motorhome camping on the Wastes was reported. A vehicle parked behind the Dante Hotel was not thought to be on Council owned land.
- PCSO Watson, clarified scope for Police interventions when camping took place on the Busks in contravention of rules governing Common Land, advised that they would only become involved where there was a breach of the peace. Resident's concerns when horses were occasionally tethered for long periods without water in the town centre should be reported to 101, to ensure the issue was logged, although he was unfamiliar with animal welfare laws in this matter.

Clerk

2. Introduction and Apologies.

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

2.2 Declarations of interest regarding items on the agenda. Cllr Byford declared an interest in agenda item 8.2.3. Dante Yard planning application, adjacent to Middleham Castle, as an employee of English Heritage, Cllr Mashford declared an

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interest in agenda items 4.5.5 Footpath no 32 as an adjacent householder and 7.1.5 Oktoberfest as a participating licensee. No further interests other than those previously notified were declared in matters on the agenda.

The Clerk acknowledged receipt of updated and re-signed declarations of interests for forwarding to RDC, the electoral authority. RDC was only obliged to hold a register of pecuniary interests. Council agreed that it should maintain its own register of non-pecuniary or personal interests, to obviate need to declare the same at each meeting. The Clerk would circulate guidance on granting of dispensations, so that Councillors might be able to speak and vote on certain matters, including setting the precept when a councillor as a householder in the township.

Clerk**Clerk****3. Minutes.****3.1 Minutes of the previous meetings**

3.1.1 **IT WAS RESOLVED to accept the minutes of the Council meeting held on 22 June 2022 (including the confidential minute) as a true and accurate record to be signed by the Chairman of that meeting:**

3.1.2 A copy of the draft minutes of the Annual Town meeting on 18 May 2022 were received and signed by the Mayor.

3.2 **The schedule of agreed actions.** Noted.

3.3 **Confidential and Urgent Items.** There were no other urgent matters, although additional matters were agreed for discussion.

4. Town Council - Information/Decision Required

4.1 **Co-option of Councillor.** One application had been received. Accordingly, and being eligible, Mr Shaun Watson was co-opted as Town Councillor, his appointment being effective from date of signing a declaration of acceptance in the presence of the Clerk.

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

4.3 **Matters of local interest and concern as reported to Councillors or on the Residents' Facebook page..**

4.3.1 Increase in energy bills. There was discussion on potential local impact, noting sources of support and advice. Cllr Byford had looked into possibility of additional opening hours for the Key Centre with Mrs Avison, the MKC receptionist, as a 'warm space' but they concluded that current scheduled activity provided adequate times access times. The need however should be monitored and, for example, additional coffee mornings could be planned. Grant funding for increased heating bills could be sought

4.3.2 Activity report from Citizens Advice Bureau. The valuable work undertaken and expectation of an increase in demand was noted. Of the 1,074 individuals helped in Richmondshire in 2021-22, 15 were in Middleham. It was agreed to consider a financial contribution at the next meeting and to enhance publicity for CAB's monthly visits to the Key Centre.

4.3.3 Other Matters.

4.4 Council Matters:

4.4.1 Council objectives and priorities for the current year. No specific objectives were agreed at the current time.

4.4.2 Allocation of specific areas of interest to Councillors. It was agreed not to establish Council committees. The Clerk noted the considerable reading that Councillors were required to undertake on a broad range of often complex matters and

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suggested assigning specified remits to individual councillors where matters required greater focus and background knowledge. None were agreed at the current time.

4.5 Land Management Issues (standing item).

4.5.1 Storm drains on Council Lands. Cllr Fortune reported attendance at the presentation by Area 1, including videos of the drain in the west End, one of which might be partially blocked and require further investigation. It was apparent that this drain had not caused the ingress of flood water at Westwood House as overall flow rates along the drainage system seemed adequate. Recurrence at Westwood House was likely to be prevented once the road surface was re-laid. The inspection included walking up the road to the Low Moor, revealing that most roadside drain covers were blocked; a more frequent clearance regime would improve matters. Cllr Fortune opined that an additional issue was the increased levels of the verges which appeared to be restricting scope for the camber to direct water down the hill.

4.5.2 The Moors: access and use by individuals and groups during training hours. Cllr Fairhurst reported receipt of further communication from the local equestrian school, which would continue logging further objections by racehorse trainers to its activities. Council would continue, where required, to remind trainers that access to bridleways by riders under instruction was permitted. Regarding communicating this with trainers, it was agreed that it be spelled out in the covering letter to MTA enclosing the new Moors lease. Cllr Byford would convey this discussion to the equestrian school.

Cllr Byford

4.5.3 Parking rights on Town Wastes. Councillors noted comments during the earlier public forum, a letter received from a householder and verbal feedback by residents and businesses regarding the fairness of current parking arrangements. A recent, unsuccessful, investigation of a tract land with potential to create a car park had indicated that construction costs rendered such a scheme unaffordable, even if a site could be found, so was an unlikely option. As a traditional market square, letting areas to licensed premises for outdoor seating appeared to be a legitimate use and created approximately £6k annually towards cobbles repair. In addition to residents, parking was required by workers, visitors and tourists, including the approximately 40,000 annual visitors to the Castle, many of whom also visited local shops. If new priorities and charges were implemented, availability might not be improved and be difficult to enforce. It was agreed to continue review of arrangements through a working party comprising Cllr Fortune and Cllr Mashford, the terms of reference for which would be agreed once Moors Lease discussions were completed. The Clerk would also investigate whether there might be any historic legal restrictions on public parking, as had been the case in Leyburn.

**Cllr
Fortune /
Cllr
Mashford****Clerk**

4.5.4 Signs to public toilets. Two quotations for broadly similar designs were received. It was agreed to proceed to purchase a sign from Classic Signs at an indicative cost of £243.60 including VAT. Additional costs would be incurred for installation. Consent was required from Rill Hotel, from which a financial contribution would be sought as the Hotel had not replaced the original sign it had removed.

Clerk

4.5.5 Access to footpath 32. It was confirmed that footpath was now accessible. The washing line would be removed following vacation of a rented property.

A resident had raised complaints that the ginnel alongside the former Castle Keep Tea Rooms, an area of unregistered land, had been obstructed for pedestrian access by builder's equipment and supplies for some months during refurbishment. Councillors felt that access was not impeded and that the storage of such items, some also on Council-owned land, including a long-term skip, was acceptable and orderly. The works were in any case expected to be completed by the month end, so no action would be taken. Council would consider potential adoption of the unregistered area at a future meeting.

Clerk

4.5.6 Recent increase in camping on common land. Council considered the agenda heading was inaccurate as 'wild camping' applied to tents only, whereas current concerns were primarily with caravans and motorhomes. Recent increase in camping

on the Buses and the uncooperative response when campers were politely approached by Councillors was noted; going forward, approaches would be made by a minimum of 2 Councillors. It was agreed to explain Council's approach via a website notice to counter local perception that Councillors were not doing anything. A future meeting would consider options to restrict vehicle access onto the Buses. The Clerk would summarise relevant laws and scope for deterring campers.

Action

Clerk

4.5.7 Trees behind 9 St Alkelda's Road. An email had been received prior to commencement of the meeting from the householder asking Council to consider reducing height of trees on its land to improve exposure to sunlight for proposed roof-mounted solar panels. The Clerk would confirm that the request be investigated without commitment, particularly as the health and appearance of the trees were relevant considerations.

4.5.8 Community Gardens. In recognition of the contribution to establishing the gardens by the late Cllr Nigel Hopper, a suggestion had been received that the Community Garden be renamed in his memory. Council supported this; Cllr Byford would liaise with his family and MSCWA and the name agreed at the next meeting.

Cllr Byford

4.5.9 Repainted Benches. Concern was expressed at appearance of rust on two recently refurbished benches relocated to the open space and overlooking the field behind St Alkelda's', particular as weather conditions since then had been mostly very dry. The Clerk would raise this with the firm that had shot-blasted and painted them.

Clerk

4.6 Police Matters.

4.6.1 Monthly Activity Report from Neighbourhood Team (standing item). Concern was expressed at disclosures by the PCSO during the Open Forum that overlapping shift patterns by 2 Leyburn PCSOs sharing one vehicle meant that one officer would be without transport for part of his/her shift. The position worsened after midnight when no officers operated out of Leyburn station, leaving a large geographical area covered remotely from Richmond and Catterick Garrison stations, unlikely to quickly reach Wensleydale due to distances and small roads involved. This would be raised at the following night's meeting with the Commissioner.

All

4.6.2 Smaller Councils – role in policing and crime reduction. Circulated guidance was noted.

4.6.3 Council meeting with PFCC 8 September. The schedule of proposed topics for discussion, being largely the same as for the previous meeting had been agreed outside of the current meeting and forwarded to the Commissioner's office. It was agreed that the meeting should be with the Commissioner and one of her staff only, rather than include the local police team.

4.6.4 Virtual Meeting with PFCC on Wednesday 2 November at 6:45pm. Date of this meeting, organised by YLCA, were received.

4.7 Update on Unitary Authority.

4.7.1 Online Briefings. Cllr Sedgwick reported discussions regarding consistency of Council tax charges across the new authority. She encouraged Councillors to attend online briefings to gain an overview of ongoing developments. Cllr Byford asked that Cllr Sedgwick give feedback to County Councillor Carl Les that his comments reported on Richmondshire Today regarding purchase of land for housing in the National Park had raised questions regarding why it might not be undertaken elsewhere.

Cllr Sedgwick

4.7.2 Feedback on service levels provided by RDC for period to 31 March 2023. No issues raised.

4.7.3 New Council Tax Reduction Scheme Consultation. Councillors agreed to broaden awareness of this consultation.

All

4.8 **The Bridge**. It was noted that a new editor was required as Rev Liz Moody intended to stand down.

4.9 **Establishing a walkers'/ cyclists' route to Leyburn**. Cllr Mashford spoke in support of his suggestion that feasibility for a safe route for walkers and cyclists be looked into following suggestions made by residents. After discussion, Cllr Mashford agreed to investigate a suitable route.

Cllr Mashford

4.10 **Friends of the Dales Conference** Saturday, 24 September 2022, Grassington.

Action

Details of the event were received.

5. Review of Health & Safety and Environmental Matters (standing item).

5.1 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. The potential for incidents arising from this was considered unlikely as each item as heavy and difficult to move any distance.

5.2 Roads and paths.

5.2.1 Surfaces concerns. Cllr Byford reported that NYCC would hopefully undertake resurfacing of the road alongside the Low Moor to Pinkers Pond during autumn. She had forwarded trainers' concerns regarding the Common Lane / High Moor road and suggested alternative surfaces that might be cheaper. She expected to hear back shortly and that NYCC might reallocate budgets to complete the works.

Scheduled works on the pavement in Park Lane had not taken place; an explanation would be sought.

Clerk

An apparent recent increase in incidents of the priority for outgoing traffic over Middleham Bridge being ignored, questioning the need for improved signage and clearing tree growth obscuring driver's views would also be raised with Area 1 Highways.

Clerk

Reported incidents of traffic going the wrong way down the one-way section of The Springs had reduced. However, this remained a concern and the Clerk would suggest to Area 1 that a cul-de-sac sign be installed. He would also enquire whether they had contact with satnav providers to correct those that did not correctly show that it as one-way.

Clerk

5.2.2 Street Lighting. Frustration as expressed at the lack of response from RDC for outstanding repairs to streetlight 039 in Park Lane and confirmation whether the additional light would be installed. The Clerk would continue to chase.

Clerk

5.3 Application for funding for benches. A copy of the application submitted to the Lower Wensleydale Area Partnership was received. Further information had been requested by RDC which the Clerk would answer. It was agreed to amend the request to cover the higher cost of two 4-seater benches which would be more suited to the community than the 3-seater alternative. If successful, this required a marginally higher contribution from Council of £345.

Clerk

5.4 Environmental Matters. None at the current time

6. Project Updates: Details of funding available for tree planting had been received. Observations on the Low Moor above Pinkers Pond were that many of the trees recently planted had died during the hot and dry weather and it was agreed not to plant any further trees for the time being and obtain an update from the Lower Wensleydale Biodiversity Action Group on their current activity.

**Cllr
Fortune**

6.1 Burial Ground. No matters to report.

6.1.1 **MSCWA.** Cllr Sedgwick was thanked for the generous contribution of £900 from the NYCC Locality Budget for purchase of away strip for Middleham Football Club.

The Clerk was requested to update the Association's details on the Council website.

Clerk**6.2 Key Centre.**

6.2.1 Report from New Trustees. Cllr Byford, chair of trustees, reported on progress with the business review, and changes to key contracts that had halved monthly outgoings enabling the Centre to remain open until into the early part of 2023.

6.2.2 Options for future use of the building. Continued to be explored and a report would be prepared for Council.

6.2.3 Community engagement: a draft community questionnaire had been drawn up

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and RDC could help with circulation and processing of responses. A public meeting would be convened to consider plans.

6.2.4 **Survey Costs. It was Resolved to approve an invoice from ADH Site Surveys Ltd for £1,704, being the costs of a topographical survey.** This expenditure would be covered by the RDC Housing Feasibility Grant.

7. Events in Middleham (standing item).

7.1.1 Seniors' Coach outing. A successful and enjoyable trip had been organised to Whitby.

7.1.2 Super-Feast Day. Feedback received was that the event had been well-organised and attended. For 2023, the event would revert to the Late Spring Bank Holiday. Some initial criticism on the Residents Facebook page because the event was not held in the marketplace had been retracted and it was likely that Feast Day would continue to be held on the Playing Fields.

7.1.3 Middleham Pleasure Ride, Sunday 21st August. The event organised by Racing Welfare and Hurworth Hunt had been successful and was likely to be repeated next year.

7.1.4 Oktoberfest. Cllr Mashford outlined proposed attractions for the event to be held on 1 October 2022, involving each licensed premises. External food suppliers would not be used this time.

7.1.5 Cost implications for events requiring road closures in the marketplace. A note from the Clerk regarding the costs of engaging a traffic management consultant and a licence from the Highways Authority for closing the short section of road in front of the Wensleydale Hotel, effectively brought to an end community events being in the market square.

8. Planning

8.1 Planning decision notices received since the last meeting:

8.1.1 Certificate of Lawfulness for Proposed Rear Orangery at Green Acres, Park Lane, Middleham, Leyburn, North Yorkshire, DL8 4QY 22/00353/CLP. **Granted**

8.1.2 Full Planning Permission for Extension and Alterations at Hazeldene, Kirkgate, Middleham, DL8 4PG 22/00279 **Granted**

8.1.3 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 **Granted**

8.1.4 Full Planning Permission for Circular Gallop, Manor Farm Middleham DL8 4RH 22/00330/FULL **Granted**

8.2 Planning Applications.

8.2.1 Certificate of Lawfulness for Proposed Rear Orangery at Green Acres, Park Lane, Middleham, Leyburn, North Yorkshire, DL8 4QY 22/00353/CLP **To ratify no objection submitted between meetings.**

8.2.2 Full Planning Permission for Change of Use from Car Port to Self-Contained Accommodation to be Used In Association with the Main Dwelling as Either an Annex or Holiday Let (Retrospective) at Fieldfare House, Middleham Road, DL8 5HE, - AMENDED PROPOSAL 21/00074/FULL **No objection**

8.2.3 Full Planning Permission for Erection of a Portal Frame Building to House Livestock and Machinery at The Dante Yard, Canaan Lane, Middleham, North Yorkshire 22/00538/Full Following detailed review of plans, Council was concerned at the potential impact upon a historic view between Middleham Castle and William's Hill and agreed to raise this with planners, suggesting that the intended structure be built within the stable's existing envelope, ideally where an existing horse walker was currently installed, which would reduce impact. A draft response would be circulated.

8.3 Potential Planning Enforcement Issues.

8.3.1 Alterations at Castle Keep Tea Rooms. The enforcement officer's comments and confirmation that no action would be taken were noted, with some surprise as

Clerk

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some aspects of the refurbishment departed from conservation area guidance that had been required elsewhere.

8.3.2 Racing Stables Kingsley Park Farm Park Lane Middleham DL8 4QZ 22/00212.

The background to withdrawal by the applicant, instead purchasing existing housing for racing staff, citing delays by planners, was noted. It appeared to Council that the another factor in the delays may have been avoided if the applicant’s agent had provided guidance on planning requirements.

8.3.3 Barn at Manor Farm, West End Middleham. Concerns were expressed at the deterioration of a listed building. The Clerk would report this to RDC’s planning enforcement team

Clerk

9. Finance – Information/Decision required

9.1 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.

9.2 Specific expenditure approvals: None.

9.3 Clerk’s contract of employment. No discussion at this meeting.

10. Suggested items for the next agenda.

10.1 Second home policy – to consider lobbying unitary authority to adopt

10.2 Local Councils and Climate Change

10.3 Presentation by ‘Talk North Yorkshire’ on unitary authority and devolution’.

10.4 Budget. Review financial position at half year, agree expenditure priorities for draft budget for 2023-24.

**The next monthly meeting will be held on Wednesday 26 October 2022.
There being no further business the chair declared the meeting closed at 10.10pm**

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