

KIRKBURTON PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING HELD AT BURTON VILLAGE HALL, HIGHBURTON ON THURSDAY, 6th AUGUST 2009 AT 7.30 pm

PRESENT: Cllr R Barraclough in the Chair

Cllrs M Atkinson, H Barraclough, R Burton, D Hardcastle, G Hickey, J Hirst, L Holroyd, M MacDonald, A Murphy, S Murphy, J Paxton, P Rock, M Sykes, J Taylor and C Whittingham.

The Council was addressed by a Police Officer from the Kirkburton area, who updated members on crime statistics in the area. One member of the public spoke on crime issues and also on the lack of retail facilities in the Highburton area.

Apologies were received from Cllrs Cooper, Cruden, Cunnington, Dunford, Dunn, Hutchinson, Moreton, and Munro, the reasons for which were accepted by the Council.

**97 Apologies and
Declarations of
Interest**

The following personal interests were declared: Cllr H Barraclough in Shelley Village Hall as she is a resident; Cllr Hirst in the supermarket planning applications as is a Director of the Town Centre Partnership which is against the Tesco proposal in Huddersfield; Cllr MacDonald in the accounts schedule, as it included a grant cheque for Shelley First School and in Shelley Village Hall as he is a resident and also a Parish Council representative on the Shelley Community Association; Cllr Paxton in the Flockton school crossing patrol, as she is a family member; Cllr Sykes in Planning Appls 91858 at 103 Marsh Lane, Shepley and 92093 at West Royd Farm, Marsh Lane, Shepley as he knows the applicants; Cllr Taylor in Shelley Village Hall as he is a Parish Council representative on the Shelley Community Association;

Cllr A Murphy declared a personal interest in all the planning applications as he was on the Kirklees Planning Sub-Committees for the Heavy Woollen and Huddersfield areas and on the Kirklees Planning and Highways Committee. He stated that all views expressed by himself at the Parish Council were preliminary as the final decisions on all applications will be made when he has received all information at the Kirklees committee meetings.

Resolved: To elect Adrian Murphy into the vacancy in the Shepley ward of the Council.

**98 Co-option in the
Shepley Ward**

There was a brief adjournment whilst Cllr Murphy signed the Declaration of Acceptance of Office and the Dignity at Work Policy with the Clerk, before taking his seat in the Council chamber. The Chairman welcomed Cllr Murphy to the Council.

99 Declarations

Resolved: That items 25 (a) and 25 (d) (Appointments of contractor and archaeologist for the repair to Kirkheaton Churchyard wall) on the agenda be taken in private session.

100 Admission to Public

A recorded vote was taken on the proposal to hold the item on Shelley Village Hall in private session, with the following result:

For: Cllrs Atkinson, Hardcastle and Paxton.
Against: Cllrs H Barraclough, R Barraclough, Hickey, Hirst, MacDonald,
A Murphy, S Murphy, Rock, Sykes and Taylor.
Abstentions: Burton, Holroyd and Whittingham.

Resolved: To hold the item on Shelley Village Hall in the public session.

The Chairman reported he had attended the Farnley Tyas Church Patronal Festival, the Kirklees Civic service and the Huddersfield Scouts AGM. He thanked Cllr Hirst (Vice Chairman) for attending the Meltham Civic Sunday on his behalf when he was unavailable. The Clerk reported that the Huddersfield Scouts had sent a thank you letter to the Council in respect of the Chairman's attendance at their meeting.

**101 Chairman's
Appointments**

Resolved: To accept the minutes of the Parish Council meeting on 2nd July 2009 as a true record.

**102 Parish Council
Minutes**

- Cllr MacDonald wished to clarify his interest in the environment grant application from Shelley First School. The application had been lodged by the school, but it had been addressed to Cllr MacDonald personally. He had presented it to the Council in the first instance at the meeting on 2nd April. The interest was a personal one and not prejudicial.
- 103 Declaration of Interest (Min 74)**
- Resolved:** To accept the minutes of the Staff & Grievance Committee meeting on 2nd July 2009 as a true record. Cllr MacDonald wished it minuting that he had concerns that the Clerk had not declared a prejudicial interest in Emley and Honley Shows and had remained in the room whilst the matters were discussed.
- 104 Staff & Grievance Committee Minutes**
- Cllr MacDonald requested that the YLCA written advice referred to in Minute SG8 be distributed to all members of the Council.
- 105 Communication (Min SG8)**
- Resolved:** To accept the minutes of the Council (Planning/GP) meeting on 16th July 2009 as a true record.
- 106 Council (Planning/GP) Minutes**
- Resolved:** To agree and adopt the minutes of the Kirkheaton Committee meeting on 16th July 2009.
- 107 Kirkheaton Committee Minutes**
- Resolved:** To agree and adopt the minutes of the Risk Assessment Committee meeting on 16th July 2009 and the inspection reports of 4th June 2009.
- 108 Risk Assessment – Minutes & Reports**
- The minutes of the Environment Working Party meeting on 18th July were agreed as a true record.
- 109 Environment Working Party**
- Resolved:** To adopt the arrangements for the Environment Fayre.
- It was agreed the minutes of the Microgeneration Working Party was a true record of the meeting held on 13th July 2009. It was reported that there had been confusion over the meeting dates, resulting in 2 members not attending. Council agreed to seek to improve the situation in future. Cllr Rock expressed an interest in joining the working party. Members were also asked to ensure that all projects originating from the working party followed the correct procedure.
- 110 Microgeneration Working Party**
- 91858 *Erection of detached dwelling at the rear of 103 Marsh Lane, Shepley.* The Council objected on the grounds that it had already been built further up the garden than indicated on the plan. This resulted in the property being 3m closer to the neighbouring property and caused a detrimental impact on the visual and residential amenity.
- 111 Plans**
- 92038 *Reserved matters application for the erection of one dwelling with garage (within a conservation area) on land adjacent to 5 Garner Lane, Highburton.* The Council objected to the application on the grounds of materials/appearance: materials used for the building and the roof should be the same as the neighbouring properties to ensure it fits in. The building should be of stone and the windows should be an appropriate size.
- 92061 *Certificate of lawfulness for existing use of part of grocers shop to pizza and chicken takeaway at 202 Barnsley Road, Flockton.* The Council objected on the grounds that the property has not been used as a takeaway in the last 10 years, as well as on highways grounds.
- There was no comment made on the following applications:
- 91464 Shepley; 91823 Kirkheaton; 91827 Highburton; 91874 Grange Moor; 91884 Highburton; 91886 Thurstonland; 91907 Kirkburton; 91909 Thunderbridge; 91920 Lepton; 91956 Fenay Bridge; 91998 Kirkheaton; 92003 Shepley; 92004 Shelley; 92044 Shelley; 92060 Houses Hill; 92068 Shelley; 92093 Shepley; 92095 Kirkburton; 92110 Shepley; 92114 Kirkburton and 92125 Shelley.
- Comment on the following applications was deferred pending receipt of the plans: 91960 Kirkburton and 92101 Shelley.
- There were no planning appeals before the Council
- 112 Planning Appeals**

- Members noted the application for £90 to fund the installation of cover the costs of fixing an additional rail in the disabled toilet. The Clerk reported that the recommendation of the Grants & Community Projects Committee was that the award be made in full.
- Resolved:** To award £90 to Burton Out of School Club to fix an additional rail in the disabled toilet.
- The Clerk was asked to record the following two points: that Cllr MacDonald had expressed concerns with regard to the Clerk's salary, and that the Council's accounts for 2008-09 had been audited, and the Internal Auditor was satisfied that the accounts were correct and the Council was operating properly.
- A recorded vote was taken on the proposal to settle the accounts as presented with the following result:
- For: Cllrs Atkinson, R Barraclough, Burton, Hardcastle, Hickey, Hirst, Holroyd, Paxton, Rock, Sykes, Taylor and Whittingham.
Against: Cllrs H Barraclough, MacDonald and A Murphy.
Abstention: Cllr S Murphy.
- Resolved:** To settle the accounts as presented (£7,749.08 including £4,807.73 agreed under LGA 1972 s137).
- Members noted the draft letter and the Clerk read out information supplied by Cllr Dunn on air quality management zones around the Leeds Road/Ring Road area.
- Resolved:** To send the draft letter to the Cabinet and to incorporate the points made about air quality management zones.
- Members noted the information supplied by Bramleys following the survey of the building.
- Resolved:** That the Council would be content to receive an indicative valuation based on the three conditions listed in the letter.
- It was reported that the Clerk had been supplied with details of buses which had been discontinued after the recent timetable change.
- Resolved:** To write to Neil Holt of Metro (cc Taj Singh of Huddersfield Bus Company) regarding the timetable changes.
- Resolved:** To agree the rules for the 2010/11 grant applications as distributed.
- Resolved:** To agree that in future the budget will first be considered by the Management & Finance Committee and to adopt the system identified as (b) in the briefing paper sent out to members with the meeting papers.
- Resolved:** To nominate the Clerk to attend the conference in Daventry from 23rd to 25th October 2009.
- It was reported that there had been several near accidents by the school crossing patrol on Barnsley Road in Flockton and that some of the existing signs were not working.
- Resolved:** To write to Highways requesting high visibility signs are installed on Barnsley Road in Flockton.
- Members noted the project form and proposed work to repair the north-west wall and install a gate at Shepley allotments.
- Resolved:** To proceed with the Project (No 01/09): Shepley – Gateway access to allotments, as detailed on the project form.

113 Burton Out of School Club Emergency Grant Application

114 Accounts

115 Supermarket Proposals in Holmfirth & Huddersfield

116 Shelley Village Hall

117 Changes to Bus Timetables

118 Small Grant Rules

119 Budget Procedure

120 SLCC Annual Conference

121 Highways Issues in Flockton

122 Shepley Project

Members noted the request from the allotment holder on Plot No 6 to erect a shed on the plot.	123	Permission to Erect Shed
Resolved: To give permission to erect the shed on Plot No 6 in accordance with the plan provided to the Council.		
Cllr Rock made a verbal report on a presentation he had attended on the M62 Managed Motorway Scheme (Junctions 25 – 30).	124	M62 Managed Motorway Scheme
Resolved: To appoint a maintenance contractor and to refer the matter to the Management & Finance Committee to attend to the details of the position.	125	Maintenance Contractor
Resolved: That Items (a) and (d) below be conducted in a private session of the Council due to the confidential nature of the business to be transacted.	126	Private Session
Resolved: To appoint R A Berry Ltd to carry out the contract to repair the Kirkheaton Churchyard boundary wall at Church Lane in accordance with the terms and conditions notified.	127	Kirkheaton Churchyard Wall (a) Contractor
Resolved: To appoint Mr David Taylor as the Structural Engineer for the contract, with the terms and conditions to be agreed at a future meeting.	128	(b) Appointment of Structural Engineer
Resolved: To agree that Cllr Mark Sykes will monitor progress of the contract and report back to Council with the Clerk to the Council being the central point of contact for all parties involved in the contract.	129	(c) Monitoring of Contract
Resolved: To appoint an archaeologist from the West Yorkshire Archaeology Service to undertake a Watching Brief whilst the foundations are being dug on the terms and conditions as notified, and subject to any amendments required by the Diocesan Advisory Committee on condition that they are not detrimental to the interests of the Council.	130	(d) Appointment of Archaeologist
Resolved: That the Clerk will look into the possibility of insuring against the costs of a prolonged archaeological investigation and take out cover under delegated authority, if it is cost effective for the Council.		
Members noted the Clerk's Report as distributed at the meeting. She reminded members of the dates for her annual leave.	131	Clerk's Report
The Clerk drew members' attention to the copies of One Voice on the table.	132	One Voice
<ul style="list-style-type: none"> • The Staff & Grievance Committee's delegated authority 		Items for Future Agendas

The meeting then closed.