

KIRKBURTON PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING HELD AT BURTON VILLAGE HALL, HIGHBURTON ON THURSDAY, 18th JUNE 2009 AT 8.30 pm

PRESENT: Cllr R Barraclough in the Chair

Cllrs M Atkinson, H Barraclough, R Burton, A Cooper, A Cruden, P Cunnington, D Hardcastle, G Hickey, L Holroyd, M MacDonald, B Moreton, A Munro, J Paxton, P Rock, M Sykes and C Whittingham.

Apologies were received from Cllrs Dunford, Dunn, Heward, Hirst and Hutchinson, the reasons for which were accepted by the Council.

**50 Apologies and
Declarations of
Interest**

The following personal interests were declared: Cllr MacDonald in Shelley First School (proposed 20mph speed limit outside schools) and also in Shelley Village Hall as he uses it.

Cllr R Barraclough declared a prejudicial in Mr Dyson, proposed contractor for the fencing work at Shelley Village Hall, as he works with him and Cllr Holroyd in Planning Appl No 91377 at 9 Hardcastle Lane, Flockton as the house number suggests it is very close to her property and also because she has been lobbied by residents on issues regarding the application. Both members left the meeting whilst the Council discussed and decided upon the respective issues.

The Chairman reported that he had attended the Honley Show and Saddleworth Parish Council Civic Sunday.

**51 Chairman's
Appointments**

Resolved: To accept the minutes of the Parish Council meeting on 21st May 2009 as a true record, subject to the inclusion of the personal declaration of interest by Cllr H Barraclough in Planning Appl No 91145 at Unit A, Near Bank, Shelley.

**52 Parish Council
Minutes**

The Clerk reported that Cllr MacDonald's place on the Freedom of Information seminar had been cancelled at his request but it had not been possible to obtain a refund. She also reported that the employment seminar she had been booked on had been cancelled due to an insufficient number of delegates.

**53 Training Seminars
(Min 47)**

Resolved: To accept the minutes of the Staff & Grievance Committee meeting on 21st May 2009 as a true record.

**54 Staff & Grievance
Committee Minutes**

Resolved: To adopt the minutes of the Shelley Committee meeting of 4th June 2009. It was noted that the accuracy would be agreed at the next committee meeting.

**55 Shelley Committee
Minutes**

Resolved: To agree and adopt the minutes of the Management & Finance Committee meeting of 21st May 2009, subject to the inclusion of the word "tango" in the resolution at Minute No MF5.

**56 Management &
Finance Minutes**

Cllr Holroyd left the meeting.

91377 *Erection of replacement garage/workshop to rear at 9 Hardcastle Lane, Flockton.*
The Council strongly objected to this proposal on the grounds that this reapplication did not address Council's previous objections in relation to the distortion of scale on the plans. The proposed building is larger than the plan implies and consequently its impact on the residential and visual amenity of the neighbouring houses is grossly under-represented. Additional grounds are: a) The plans used pre-dated 1972 and were therefore seriously out of date, giving a totally misleading picture of the effect the proposed development would have on the neighbouring property. b) Both the North and South elevations are mislabelled East giving a false idea of light exclusion to No 11. c) Concerns about stability and drainage if excavation takes place, as the site is not on a steep incline as indicated. d) The effect the excavations for the foundations would have on the tree which is less than 3m away. e) Council also queries the future use of the development given the proposal includes over 5m of folded glazed doors, 4 windows, 5 velux rooflights and a shower room.

57 Plans

Cllr Holroyd returned to the meeting.

91511 *Variation of Condition 4 on previous Application No 90/01778 at 202 Barnsley Road, Flockton.* It was agreed to defer comment on this application to allow the ward members time to speak to the Planning Officer as it had not been used as a takeaway for over 10 years, and it would present problems including parking and litter. **57 Plans (Cont'd)**

There was no comment made on the following applications:
 90801 Kirkheaton; 90880 Lower Cumberworth (Shelley ward); 91045 Shelley;
 91116 Fenay Bridge; 91158 Kirkheaton; 91165 Lepton; 91246 Lepton; 91265 Lepton;
 91279 Shepley; 91296 Shelley; 91300 Shepley; 91309 Flockton Moor; 91337 Lepton;
 91386 Lepton; 91410 Kirkburton; 91423 Kirkburton; 91437 Highburton;
 91472 Kirkheaton; 91473 Kirkheaton and 92147 Grange Moor.

Comment on the following applications was deferred pending receipt of the plans:
 90974 Grange Moor; 91237 Thurstonland; 91376 Shelley; 91490 Shelley; 91521 Shepley
 and 91522 Shelley.

There were no appeals before the Council. **58 Planning Appeals**

Cllr Rock wished it recording that he had sought to have the complete accounts schedule made public. **59 Accounts**

A recorded vote was taken on the proposal to settle the accounts as presented, with the following result:

For: Cllrs Atkinson, R Barraclough, Burton, Cooper, Cruden, Cunnington,
 Hardcastle, Hickey, Holroyd, Moreton, Munro, Paxton, Rock, Sykes and
 Whittingham.
 Against: Cllr MacDonald
 Abstentions: Cllr H Barraclough

Resolved: To settle the accounts as presented (£2,888.43 including £875 agreed under Local Government Act 1972 s137).

The Clerk reported that the internal audit had been carried out and the Internal Auditor was satisfied with the Council's accounts and operations in the preceding financial year. **60 Annual Return**

A recorded vote was taken on the proposal to adopt the Annual Return and Variance Report for the financial year 2008/09.

For: Cllrs Atkinson, R Barraclough, Burton, Cooper, Cruden, Cunnington,
 Hardcastle, Hickey, Holroyd, Moreton, Munro, Paxton, Rock, Sykes and
 Whittingham.
 Against: Cllr MacDonald
 Abstentions: Cllr H Barraclough

Resolved: To adopt the Annual Return and Variance Report for the financial year 2008/09.

A verbal report on the last meeting of the Huddersfield Area Committee meeting was given. **61 Huddersfield South Area Committee**

Reports were given on the Honley Show and the display made for the Show was brought to the meeting for all the members to see. The Chairman thanked members and the Clerk for all their efforts, which had made it a successful event. **62 Honley & Emley Shows**

Members considered the preparation needed for the Emley Show, and the following volunteered to help on the day: Cllrs Atkinson, Cruden, Cunnington, Holroyd, Moreton, Munro and Paxton. It was reported that Cllr Hirst would also be attending.

Resolved: To give the Clerk delegated authority to deal with all matters with regard to Emley Show.

Members reported on problems caused to passengers by the changed bus timetables.

Resolved: To write to Metro and the two bus companies to object to the changes, and ask that the routes are subsidised if they are not sufficiently subscribed to be maintained as commercial routes, cc the Transport Commissioners and Kirklees representative on the WYPTE.

63 Changes to Bus Routes & Timetables

Members considered whether it was appropriate to hold a public meeting on the issue.

Resolved: To issue a press release alongside the correspondence and to consider the matter at the next meeting when the strength of public feeling could be assessed following the Council's press statement.

Cllr Hardcastle reported on the measures Kirklees was putting in place on Wakefield Road in Lepton to address the high incidence of accidents.

**64 Road Safety Issues
a) Wakefield Road**

Resolved: To adopt a Council policy to campaign for 20 mph zones outside all the schools in the Parish at the start and end of the school day, and ask schools to co-operate by producing travel plans.

65 b) 20 mph Speed Limits outside Schools

Resolved: To copy the correspondence to the 3 MP's and ask for their support of the policy through the legislative process in Parliament.

It was reported that various highways issues in the vicinity of Whitley Upper School had been raised directly with Highways Services, and were currently being investigated.

66 c) Highways Issues near Whitley Upper School

Resolved: That the ward members bring the issue back to the Council if assistance is required, and in the meantime to request that flashing lights are provided at school times outside Whitley Upper School.

It was reported that the issue of lowering speed limits outside the schools was raised more than two years ago and no response had been received from Highways.

67 Joint Review Meeting

Resolved: To raise the matter at the Joint Review meeting.

Pursuant to Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 it is resolved that, because of the confidential nature of the following three items, the discussions were conducted in private.

Members considered the appointment of Mr Simon Mills of Ramsdens as the Council's Solicitor, and the Clerk advised members regarding his terms and conditions.

68 Appointment of Council's Solicitor

Resolved: To appoint Mr Simon Mills of Ramsdens as the Council's Solicitor to advise as and when required, and to retain all the Council's legal deeds and documents in safe custody on the terms and conditions as notified.

Members were advised on Shelley Committee's progress and the need for the Solicitor to review the deeds for Shelley Village Hall in order to continue with its task. The Clerk advised members of the notified cost for the work.

69 Authorisation for Shelley Committee to obtain legal advice

Resolved: To engage Mr Mills to review Shelley Village Hall's deeds and associated documents and provide advice in connection with Shelley Committee's work, as required.

Resolved: To elect Cllr Holroyd to chair the following item, following which Cllr R Barraclough left the meeting.

70 Election of Chairman

Resolved: To appoint Mr Dyson to supply and erect Tango fencing and posts along the Far Bank boundary of the building on the terms and conditions as supplied. Cllr Barraclough returned to the meeting.

71 Shelley Village Hall

Members noted the Clerk's Report as distributed at the meeting. She advised members of her annual leave dates.

72 Clerk's Report

The Clerk reported that the contract for Kirkheaton Churchyard wall had been re-tendered.

73 Kirkheaton Churchyard Wall

The meeting then closed.