

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

OFFICIAL NOTICE OF A PARISH COUNCIL MEETING

on Monday 21 August 2023 at 7:20pm for a prompt 7.30pm start in the **Annex of the Mechanics Institute, Kirkby Malzeard**

The meeting commenced at 7:30pm. Present: Councillors Pippa Manson - Chair, Richard Hughes, Jane Aksut, Geoffrey Berry and Geoff Loblely along with the Clerk, Cllr Cunliffe-Lister and 4 members of the public.

MINUTES

1. Welcome. Apologies for absence from Councillors - approve reason why unable to take part.

Apologies were received and approved from Cllr Floyd and Cllr Heap.

2. Declarations of Disclosable Pecuniary Interest, Other Interests or Close Association. None

3. Approve the Minutes of the Parish Council meetings held on 24th July 2023

the minutes were approved and signed as such by the Chair.

4. Correspondence – any urgent items will be raised by the Clerk for consideration and action.

- a) **NYC** – Notification of that the Land Section of the common land register be amended to show that CL375, Laverton Quarry no longer falls within the parish boundary for Azerley PC and be replaced with Kirkby Malzeard, Laverton and Dallowgill. Noted
- b) **Resident** – Notification from Ivy Bank of permission from NYC to fell Sycamore Tree (with no TPO) due to ash dieback.
- c) **NYC** – Request to report back on Community emergency plan – The chair will report back to NYC. This will also be brought to the attention of the MI.

Action: Add to September agenda

- d) **NYC** – Speed limit review will take place - Noted

5. Report from our North Yorkshire Councillor (if available).

- a) Cllr Cunliffe-Lister monthly report was noted and will be added to the website.
- b) The Chair updated the Parish Council on a recent meeting of councillors with Cllr Cunliffe-Lister on various planning related concerns within the Parish including the Planning Department's occasional apparent lack of regard to local concerns and some developers' lack of compliance to planning requirements. Cllr Cunliffe-Lister undertook to look into these issues and report back. She will also investigate funds available to the community from commuted sums/CIL.

6. Planning – recent Applications made to North Yorkshire Council where the Parish Council have not consulted:

None

7. Planning – Notification that an appeal has been made to the Secretary of State against NYCC refusal of planning permission:

- a) 23/00058/NREFPP - High Pastures Laverton Road Kirkby Malzeard, Formation of new vehicular access from Kirkby Moor Road with installation of hardstanding and fence to form driveway (Revised.) Bain

8. Planning – notification of recent Decisions made by North Yorkshire Council:

- a) ZC23/02054/FUL - Well House Main Street Kirkby Malzeard, Erection of part two storey and part first floor extension. (Revised Scheme). Ward. Permitted
- b) ZC23/01484/DVCON - Mount Pleasant Farm Laverton, Variation of Condition 2 (approved plans) to allow alterations of drawings, of planning application (22/02968/FUL). Robinson. Permitted
- c) ZC23/02193/FUL - Laverton Hall Laverton Ripon, Formation of new access point to serve Laverton Hall. Formation of carpark. Blocking up existing access points (2no) to pedestrian access only. Ball. Permitted

9. Planning - recent Applications made to North Yorkshire Council. The Parish Council will provide a response on the following cases:

- a) ZC23/02814/DVCON - The Grange Back Lane Kirkby Malzeard, Application to vary condition 2 (approved plans) of planning approval 20/02247/REM - (Reserved matters application for the Erection of 5 no. dwellings (Access within the site, Appearance, Landscaping, Layout and Scale considered) under Outline Permission 18/01600/OUT - Outline application for the erection of 5 no. dwellings with access) to alter Plots 1, 2 and 5. Briahaze Village Homes Ltd. **Decision B – The Parish Council objects on a number of grounds details of which can be found on the NYC planning website.**
- b) ZC23/02679/FUL - Ash Tree Farm Kirkby Malzeard, Single storey oak frame structure. Sykes Brown. **Decision A – The Parish Council has no objections**
- c) ZC23/02771/FUL - Bohun Barn Back Lane Kirkby Malzeard, Loft conversion with two rooflights. Tibbet. **Decision B – The Parish Council objects on a number of grounds details of which can be found on the NYC planning website.**
- d) ZC23/02845/TPO - 15 St Andrews Gate Kirkby Malzeard, Works to Tree Preservation Order 10/1995 T1 syc - Lateral reduction of 1no. Sycamore (T1 on plan) - Lateral reduction by up to 1.8m maximum pruning cuts of 45mm (shown to the red lines shown on the photos provided) Lawton. **Decision A – The Parish Council has no objections**

10. Commuted Sums and CiL Payment – The Parish Council will arrange a meeting with Kate Dawson – NYCC Community Development Manager to get clarification on what funds are available to the Parish.

Action: Clerk to arrange a meeting

11. Planning – Neighbourhood Plan – Prior to the second phase public consultation, the Draft Plan was discussed, and approval was deferred to the September meeting, to give the Parish Council time to consider the plan including the proposals re:

- Parking on the Green
- Special Character – Church Street
- Site for allotments.

Action: Add to September meeting

12. Planning - Enforcement issues.

- a) An update was received on recent cases dealt with by Enforcement Office.
- b) No new cases were raised.

13. Kirkby Malzeard Charity Trust – Cllr Hughes updated the Parish Council on the recent meeting. He reported that progress was being made and that this would continue once the new Charity Trust clerk started. The Trust is currently looking into the feasibility of the field available which could potentially be used as allotments in Kirkby.

14. Methodist Chapel – The ACV application and the feasibility study finance application have now been submitted

15. Children’s Play Area.

- a) No issues were reported with the play area.
- b) Cllr Heap will update the Parish Council on the progress regarding improvements to the play area at the September meeting.

Action: Add to September agenda

16. Property Assets.

- a) Lamberts Quarry – Cllr Lobley will get a quote for the gate to be widened.
- b) Lamberts Quarry - Tree needs some low benches removing. Cllr Lobley will take photos and send the exact location of the tree to the Clark, who will ask DTMS for a quote to remove the branches.
- c) Bus Shelter – Roof is ready for repair.

17. Highways issues.

- a) No updates on existing cases were available.

- b) The new Highway law on pavement parking from 1st August 2023 was noted.
- c) Main Street – site of the previous sewage repair – query as the whether the road is beginning to sink. The Parish Council will monitor this issue.
- d) Market Cross – consider requesting a mini roundabout as a result of recent accident – The Parish Council will use the data logger to monitor the speed of traffic in this area of the village.
- e) No new Highways items were raised by Councillors or public.

18. Financial Items:

- a) Bank statement – was not available, the clerk will email to councillors when it has been received.
- b) Cash Book – was not available, the clerk will email to councillors when the bank statement has been received.
- c) Conclusion of 2022/23 Audit and the external audit report was noted.
- d) The following payments (including VAT where applicable) were approved.

Payee	Amount	Item Paid For
Mechanics Institute	£80.00	Hall Hire
Parish Online	£76.80	Yearly subscription – Digital mapping for Neighbourhood Plan
PKF Littlejohn LLP	£252.00	External audit
Community Heartbeat	£130.74	Defibrillator Pads - Laverton

19. Any Other Business: Items not covered elsewhere on the Agenda can be raised by Councillors and Members of the Public for discussion and referral onto Agenda of next ordinary meeting.

- Resident notification that they will be requesting that the bin near Kirkby Stores be moved possibly to near the bus shelter.
- Correspondence received regarding Dallowgill polling station – Add to September agenda.

20. Date of next meetings:

Date of Next ordinary meeting Monday, 25th September 2023 at 7.20pm in the Annex of the Mechanics Institute, Kirkby Malzeard. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 19th September 2023 please.

Meeting Ended at: 21:15

Dated 22/08/2023

PARISH CLERK: Victoria Preston, 17 Cypress Gardens, Ripon, HG4 2LT (Postal enquiries only) Tel: 07725801675 Email: clerk.kmldpc@outlook.com Agenda, along with General Privacy Notice, also available on the Parish Council website: www.kirkbymalzeardarea.org.uk Facebook: @kmldpc

