

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

OFFICIAL NOTICE OF A PARISH COUNCIL MEETING

Monday 29th June 2026 at 7.30pm in the Mechanics Institute Annexe.

Minutes

Present: Cllrs. Manson, Aksut, Floyd, Lobley, Berry, Hughes (present from item 8) together with Cllr. Cunliffe-Lister and the Clerk

1. **Welcome, approve any apologies for absence from Councillors.** – Apologies approved from Cllr Heap.
2. **Consider Declarations of Disclosable Pecuniary Interests, other interests or Close Association and consider and approve any dispensations requested.** – Declarations were received from Cllrs Manson & Aksut regarding agenda item 7. It was agreed that all dispensations which were previously agreed should be extended for a further year.
3. **Approve and sign the Minutes of the last Ordinary Meeting of the Parish Council held on the 18th May 2026.** – Approved and signed by the Chair with one minor alteration from the draft minutes
4. **Correspondence: any urgent items will be raised by the clerk for consideration and action**
 - a) Invitation for stall at a proposed Community Garden Party - Noted
 - b) Damage to bus shelter letter from NYC – **Action:** Clerk to complete NYC form and return To NYC
 - c) Invitation to BBQ @ KM Mechanics Institute Sunday 2nd August. 2pm.- Noted.
5. **Report from North Yorkshire Councillor** – NYC Cllr Cunliffe Lister presented her report to the Council and discussion took place regarding the delays in S106 payment from Brierley Homes to the local community. **Action:** NY Cllr.Cunliffe-Lister agreed to ask a question at the next full NYC meeting regarding the delay in payment from Brierley Homes and how NYC were going to resolve any shortfall.
Full report available on the Parish Council website. kmld-pc@gov.uk
6. **Emergency Planning Procedure.** – Update from Cllr.Berry – **Action :** Cllr Berry is to compile a list of local interested parties to update the local plan using the last plan as a base.

7. **Henry Jenkins** – issue raised by residents re hazards to neighbouring properties – The PC consider that the property is not being maintained at all satisfactorily by the owners. NY Cllr Cunliffe-Lister agreed to find out which NYC Officer should be contacted

Action: Clerk to draft email from PC to relevant NYC officer to request enforcement of requirement for the owners to maintain their properties satisfactorily. Clerk to inform the correspondents of the actions being undertaken.

8. **Planning – Recent Applications made to North Yorkshire Council where the Parish Council have not been consulted:** - None

10. **Planning – Notifications of recent decisions made by North Yorkshire Council**

a) 26/01286/DVCMAJ Land at Back Lane Kirkby Malzeard Section 73 application for varied footway and extended gardens to Plots 10-19 – Response from Planning Officer - *Further to the Parish Councils comments that you sent through on 1 May I have been advised that the garden extensions are due to a swale no longer being necessary which would have run to the rear of the gardens. The footway variation would reduce the extent of culverting that otherwise would be required if a pavement were to be formed alongside Laverton Lane to the site access. – Noted.*

11. **Planning – Recent applications made to North Yorkshire Council. The Parish Council will provide a response on the following cases**

a) APPLICATION NO: 26/02616/PNA

PROPOSAL: General purpose agricultural.

LOCATION: Wateredge Long Swales Lane Kirkby Malzeard North Yorkshire HG4 3RJ

APPLICANT: RB And JM Atkinson

Parish Council response. **B** The Parish Council objects on the planning grounds set out below:-

- i) The Parish Council questions the necessity for the scale of the building to house the number of agricultural vehicles to service a 60acre plot.
- ii) The Parish Council questions the intended purpose of the building being solely agricultural as it will occupy a commercial site, housing commercial vehicles, equipment and storage.

12. **Planning Enforcement:**

a) Consider any updates received from NYC Enforcement Office – **Action:**

- i) Clerk to seek update on the Laverton Lane Planning violation/enforcement
- ii) Clerk to seek update from planning enforcement regarding the static caravans still occupying the site on Longswales Lane.

b) Consider any other possible breaches of planning consents, conditions, or regulations currently existing within the Parish. Any matters raised by Councillors or Public will be referred to NYC Planning Enforcement Office for consideration. - None

13. Planning – Commuted sums and CIL – consider latest updates from North Yorkshire Council.

- a) Correspondence and S106 Summary from NYC – noted
- b) Correspondence with and from Cllr Cunliffe Lister in relation to Brierley Homes/ Laverton Oaks – NY Cllr Cunliffe- Lister had already appraised the Parish Council of her actions and subsequent press releases under previous agenda item 5. Questions were discussed regarding the 'legally binding' nature of the amounts specified in the original S106 agreement. **Action:** The Chair will draft a letter to NY Cllr Carl Battersby (a director of Brierley Homes) expressing the Parish Council's concerns regarding any potential shortfalls that might arise from the original S106 agreement with the Kirkby Malzeard community. The Chair intends to also write to local papers re this issue.
- c) CIL reporting form – to be completed when work on the play area is finalised.

14. Neighbourhood Plan – To note NYC's consultation on the Neighbourhood plan is beginning Monday 29th June. The completed document is available in the Mechanics Institute Coffee lounge for consultation. **Action:** Clerk to formally approve the proposed plan via the consultation process on behalf of the Parish Council.

15. Children's Play Area

- a) To note weekly inspection reports from Cllrs. – no report available due to Cllr Heaps' absence,. **Action** Clerk to request spreadsheet from Cllr Heap and circulate
- b) To consider latest DTMS report; - no report to date
- c) ROSPA report; work on shackles on junior swing. – **Action** clerk to chase DTMS on previous correspondence.
- d) Consider and approve estimate costs for picnic table and quote for base - Update from Cllr. Heap – not available. **Action:** Clerk to obtain a quote for table base from local contractor.

16. PC Property Assets

- a) Annual inspection of PC's trees – **Action** Cllr Floyd to request inspection from David Blakey
- b) Current property issues including Lamberts Quarry, Christmas Tree fixing, Highways yard Laverton Quarry

- i) Lamberts Quarry – Possible Japanese Knotweed **Action:** Clerk to arrange site meeting between Green Team and Cllr Lobley
- ii) Xmas tree base – repaired – vote of thanks to D&M fabrication for the swift repair.
Action: Clerk to write to D&M
- iii) Highways yard Laverton – NY response received – awaiting repairs to the fence.

c) Any other matters of concern raised by Councillors or members of the public re PC property assets – Laverton PC notice board doors – **Action:** Cllr Floyd offered to repair it.

17. Highways Issues

- a) Update on existing cases and review of recent work undertaken by N Yorkshire Highways. – update on reported issues and requests. Awaiting response on following –
 - i) 20mph speed restriction – response pending
 - ii) Signage Back Lane South- action is being undertaken by NY Highways **Action:** Clerk to request details of proposed plan
- b) Any new highways or rights of way issues to be raised by Cllrs or members of the public – potential road subsidence at the top end of Main street – **Action:** Clerk will report query to Highways.

18. **Community hub website** – Consider the future of this site with the awaited response from Visiosoft – Cllr Aksut appraised the Council of the current situation with the website. The Council will decide upon their future funding of the site once financial information is provided from Visiosoft and with regard to any progress made of a community association which might be supported by the site

19. Financial Items

- a) Bank statements – balance of outgoing payments and income on latest available statement - approved
- b) Cash book – up to date record of payments and receipts - approved
- c) AGAR – awaiting certificate from external audit.
- d) Approval of payments below (including VAT where applicable) - approved
- e) PAYE – Clerk now registered with HMRC for payroll tax submissions
- f) Active Council – Acceptance of annual contract and Website fee.- accepted
- g) Cheque received for lease of Pinfold.- clerk to issue receipt of payment.

Payee	Amount	VAT (where applicable)	Item paid for

WJPS software	£32.40	£5.40	NPlan email.
DTMS inv. 123041 + 123042	£209.10	£41.00	Playground inspection + Caretaker
Adobe software renewal	£29.69	£5.93	Software
MCafee virus protection renewal	£114.99	£22.99	Auto renewal
Medisol Invoice	££331.62	£66.32	Defib Battery replacement

20. **Any Other Business:** Items not covered elsewhere on the agenda can be raised by the Councillors and members of the public for discussion and referral onto the agenda of the next Ordinary meeting. –

- a) Update on proposed open meeting to discuss community cohesion – Cllr Hughes
- b) Consider the environmental impact of reported hedge removal by Brierley Homes – Cllr Askut

21. **Date of next meetings:** The date of the next Ordinary meeting Monday 27th July 2026 at the Methodist Chapel Dallowgill. Any items to go on the agenda for the Council meeting should be submitted to the clerk by Tuesday 21st July 2026 please.

Dated: 30th June 2026

PARISH CLERK: John Collins, The Bothy, Back Lane, Kirkby Malzeard Ripon, HG4 3SH (Postal enquiries only) Tel: 07794964819 Email: clerk.kmld-pc@gov.uk . Agenda, along with General Privacy Notice, also available on the Parish Council website: www.kmld-pc.gov.uk