

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

OFFICIAL NOTICE OF A PARISH COUNCIL MEETING

Held Monday 24th August 2026 at 7.30pm in the Mechanics Institute Village Hall Annexe

MINUTES

Present: Cllrs Manson (chair), Lobley, Berry, Aksut and Hughes plus the Secretary of the Neighbourhood Plan Steering Group and Cllr Cunliffe-Lister for items 6-8

1. **Welcome**, apologies and approved from Cllrs Floyd, Heap and the Clerk
2. **Declarations of Disclosable Pecuniary Interests**, other interests or Close Association.
- none
3. **Dispensations** – update from Clerk re existing forms and approval of dispensations – item deferred to next meeting
4. **Approve and sign the Minutes** of the last Ordinary Meeting of the Parish Council held on the 27th July 2026.- approved and signed by the Chair
5. **Correspondence:** any urgent items will be raised by the clerk for consideration and action: None
6. **Report from North Yorkshire Councillor** – none available this month
7. **Brierley Homes** - S106 Commuted Sums and affordable housing commitments. Update on the situation from the Chair and others. – The meeting noted the press release from Brierley Homes stating they will honour the Commuted sums element of the S106 agreement but gives no commitment re the affordable homes. The considerable numbers signing the petition was also noted. Brierley Homes have now submitted a proposal to reduce the affordable homes to an independent valuer. After discussion it was agreed that:
 - i) The PC would write to relevant Planning Officer requesting that the report of the valuer be considered by a NYC Planning Committee - not just by officers **Action**
Clerk/Chair
 - ii) The PC will request the Area Constituency Committee debate the issue and ask them to recommend that NYC Executive require Brierley Directors to comply with the whole petition. Cllr Cunliffe-Lister will send the finalised petition to the Area

Constituency Committee and will provide the PC with contact details for the committee. **Agreed** Cllr Hughes would represent the PC at the Area meeting 1st October with a statement agreed at next PC 21st September. **Action:** Clerk/Chair/ Cllr Cunliffe-Lister

- iii) **Action** Cllr Hughes to forward copies of the petition collected on paper to Cllr Cunliffe-lister

8. **Freedom of Information requests** to Brierley Homes– Update Cllr.Aksut. After discussion agreed that: Cllr Aksut would finalise the wording of the request re Hedgerows and circulate to councillors before asking the Clerk to submit.

9. **Proposed open meeting** re community cohesion. – Cllr Hughes will arrange a preliminary meeting inviting representatives of key organisations – probable date Monday 5 October

10. **Emergency Planning Procedure.** –Cllr. Berry updated the meeting – he will continue with revisions to update contacts in the Emergency Plan.

11. **Planning** – Recent Applications made to North Yorkshire Council where the Parish Council have not been consulted: none

12. **Planning** – Notifications of recent decisions made by North Yorkshire Council- none

13. **Planning – Notifications** of recent decisions made by North Yorkshire Council. The Parish Council will provide a response on the following cases:-

- i) **Application** 26/04181/FUL

Proposal: Erection of rear extension with stepped in two storey extension. Alteration of fenestration. Installation of conservation area Velux's. Demolition and reposition of garage/office.**Location:** Moot House, Main Street, Kirkby Malzeard North Yorkshire HG43RY Ms Emily Williams.

Parish Council response : A - the Parish Council has no objections

14. **Planning Enforcement:**

- a) Consider updates received from NYC Enforcement Office:

- i)Lack of Progress on side near the Cemetery – **Action**– Clerk to write to the Enforcement Officer, Copy to Legal Services and Cllr Cunliffe-Lister stating the community's continuing concerns about this flouting of planning law and the lack of enforcement to date.

- ii) Mobile homes at RSJ Meats – **Action** Clerk to request update

iii) Beech Tree overlooking a neighbour's property – update on action requested from Clerk

b) Consider any other possible breach 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

15. **Neighbourhood Plan** – The Secretary of the Neighbourhood Plan (NP) Steering Group updated the PC re the new National Planning Policy Framework (NPPF). The PC agreed, due to the work involved, they did not want to update the NP to the new NPPF but preferred the option for the NP to continue to be considered under the previous NPPF. **Action:** NP Steering Group to submit agenda item for next PC as necessary

16. **Children's Play Area**

a) To note weekly inspection reports from Cllrs. – not available **Action:** Clerk to request

b) To consider latest DTMS report. – not available **Action:** Clerk to request

c) Work on shackles on junior swing. – noted deferred until September.

d) ROSPA – to note inspections booked for play area and MUGA

e) Consider approval of quotes for installation of picnic bench and surface – deferred to next meeting. **Action:** Cllr Heap to re-confirm preferred bench so that project can be approved September meeting.

17. **Parish Council's Property Assets**

a) **Consider any existing Issues:**

i) Damage to bus shelter - NYC is pursuing an insurance claim

ii) Annual Inspection of PC's trees- update from Cllr Floyd- deferred

iii) Highways Yard Laverton – no update available

iv) Lamberts Quarry- Japanese Knotweed, Chair to arrange with Cllr Lobley . Cutting back of RofW - Chair to photograph and forward to Clerk if necessary

v) Rose Garden Map Frame – **Action** Clerk to investigate work required

b) **Any other matters of concern** raised by Councillors or members of the Public re PC property assets- litter bin at Greygarth Tower – recently emptied

18. **Highways Issues**

a) Update on existing cases and review of recent work undertaken by NYC - noted that some potholes filled on Kirkby Moor Road

i) Back Lane one way system – Update on site visit. **Action:** Chair to request report from NYC

ii) Data logger update and progress re request for 20mph for Manor Court area of Main St noted NYC intending to place survey tubes. **Action:** Cllr Aksut to put Data logger in same location for comparison.

b) Any new Highways or right of way issues to be raised by Cllrs. or members of the public - none

19. Financial Items:

a) Bank statements – balance of outgoing payments and income on latest available statement - Noted

b) Cash book – up to date record of payments and receipts. Noted

c) AGAR – awaiting certificate from external audit.

d) Approval of payments below (including VAT where applicable) – Approved.

Payee	Amount	VAT (where applicable)	Item paid for
Westcotec Ltd	£70.08	£14.02	Data Logger
Information Commissioner	£47.00	N/A	DD Annual Data Protection Fee

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) Add Community Housing to next agenda – Cllr Aksut to provide clerk with wording of item

Date of next meetings:

To approve proposed dates of Parish Council meetings to December 2027 including the date of the next Ordinary meeting Monday 21st September 2026 at the Mechanics Institute Annexe. Any items to go on the agenda for the Council meeting should be submitted to the clerk by Tuesday 15th September 2026 please. - **Dates approved for publication on website. NB 21st September meeting earlier date.**

Dated: 25th August 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

