

TOCKWITH WITH WILSTROP PARISH COUNCIL

Minutes of a meeting of the Council held on Wednesday 21st APRIL 2004 at the Village Hall at 7.30pm

Chairman: Councillor M Kennett

Present: Councillors Mrs Wardman, Mrs L Billenness, C Saunders, C Billenness, W J Bowyer, N Waller, R Lumley, P Pick, B Alderton.

In attendance:

Mr Phil Boardman (Managing Director of BCB Environmental Ltd.),
Mr Simon Simmonds (Technical Consultant),
Mr Martin Dale (Planning Consultant),
County Cllr Savage, District Cllr Sturdy,
Mrs J Bygate (Internal Auditor), Mrs G Firth (Clerk to the Council),
14 members of the public.

1. Apologies for absence - were received from Inspector Waind and Cliff Lake (VHMC)

The Chairman welcomed everyone to the meeting.

2. Police Matters

There was no Police Officer in attendance.

Cllr Bowyer gave a report of the last CaP Group Meeting he had attended. The Chief Constable had been present and was given a difficult time as people were not happy with the Police Precept increase and the crime figures for the district.

A copy of the Crime figures is attached at appendix 1.

· Cllr Mrs Wardman reported that she had been approached by residents expressing concern at the continuing problem of cars parking along Tockwith Lane, (past the Sportsfield) and along Kirk Lane/Southfield Lane, on days when football matches were taking place - The Council is pressing for a 20mph limit in this area (it is hoped it will prevent accidents if the traffic is moving slower). PC Haydon to be contacted and asked to consider putting out cones to prevent parking and also polite warning notices attached to cars' windscreens to remind drivers to park with consideration for others, (these had been successful in the past). These matters to be brought up with Inspector Waind, who is due to attend the May meeting. Cllr Billenness agreed to ask the Sportsfield Trust to ask visiting teams and supporters to park safely and to ask the Junior Football Club if they would provide additional parking on the land they lease from the Parish Council.

3. Minutes of the last Meeting

The Minutes having been circulated and taken as read were agreed as a true record and signed by the Chairman.

4. Matters arising from the Minutes

- The A1 Upgrade Bridge Works have been moved to 7th May, so the slip roads will be closed then and not this coming weekend, as previously advertised.
- A grant from Community Education has been allocated for installation of CCTV at the VH.
- Cllr Billenness is liaising with Cliff Lake and it is hoped the matter of the Lease and Management arrangements for the VH will be completed in the near future.
- County Cllr Savage was asked if he would obtain the fixings for the Bus timetable fixture, so that it can be erected on the post near the recycling centre. Cllr Pick agreed to collect the fixture from the Clerk's home and erect it as soon as possible.
- District Cllr Sturdy has collected a waste bin for the Marston Road Play Area from HBC. Cllr Pick agreed to erect this when Cllr Sturdy had delivered it to Cllr Mrs Wardman.
- The Clerk had written to the Sportsfield Trust to ask if they were happy with the draft letter

about use of commuted sums.

· The Clerk reported that she had submitted the paperwork with regard to Common Land Registration.

· The Clerk had also had a visit from a representative of Mr Fattorini to look at past Minutes going back to 1949.

· The Clerk stated that, having received Notification of the Election date being the 10th June, she would let Cllrs know when Nomination Papers would be available.

5. Public Questions and Statements

There were none other than items already on the agenda.

6. Village Hall

Lease and Management arrangements - Cllr Billenness and Cliff Lake had agreed some final points on the wording of the Lease. The Clerk was asked to obtain comments from the Council's Solicitor and pass these back to Cllr Billenness.

General - reports had been received that the drains at the VH need attention. The VHMC Chairman was to be contacted and the Council would wait to hear from her.

7. Field off Tockwith Lane

Cllr Pick reported back.

The ditch at the top end had been cleaned out by Marston Moor Internal Drainage Board.

Two companies had been asked to provide quotations for the kerbing and tarmacking of a 12 foot access through the existing entrance to the Field from Tockwith Lane.

The Chairman said he would provide a list of NYCC approved contractors for Cllr Pick, as Standing Orders required three quotations to be obtained.

The Clerk was asked to investigate grant funding sources.

8. WARDEN

Cllr Bowyer reported on the recent meeting.

The Clerk was asked to circulate the e mail from Thorp Arch PC when received.

WARDEN had asked several questions with regard to the proposed development of 1500 houses at the Thorp Arch Trading Estate, with no improvements to the local infrastructure.

1. Are we opposing the development in total? What if Leeds say "Would you agree to 250 houses"? The Parish Council would object to the principle of any residential allocation.

2. Do we wish to oppose Leeds recommendation that 50% of the houses should be affordable houses? Although the Council supports the provision of houses that are affordable for local people, there is a need for infrastructure improvements to allow this to happen successfully.

3. Are we to try to raise enough money in order to employ some professional help? YES

4. How many Councils will offer financial support? As you would expect, Thorp Arch and Walton, who are two of the several Councils most affected, will be offering financial support. How many others would feel able to offer financial support? This Council would consider a financial contribution in principle.

5. Will WARDEN try to raise money from residents in the local area? If so, will it be the whole area we cover or a smaller area? How do we contact residents? WARDEN Representatives from PC's would report back to their Councils and pass on any ideas/contact points.

6. Can we use most of our reserves? The Council agreed this would be in order.

7. If we are going to approach residents, do we try for some publicity in the Wetherby News with a few good reasons for our action? What good reasons have we for our action? It was not felt appropriate to contact the Press at this time.

8. Do we write to George Moore? YES, as he has been a good benefactor in the past.

9. The current information is that WARDEN may have to appear at the Public Inquiry in July. Do we contact Leeds to see if there is any way of making sure we get as much time as possible before the Trading Estate case is put to the Inspector? Might we be able to appear in the early autumn for example?

10. I do not believe this would be the right time to contact our MP, as he is now expected to support his Chancellor and promote an increase in House Building.

What other points do you think should be discussed?

WARDEN belongs to its' Members, is it still needed?

WARDEN is a group who exist to address local issues and they have supported this Council and appeared at a Public Inquiry on our behalf in the past.

The Council resolved to support WARDEN's actions in this latest matter.

The Council ratified the responses of the Chairman, who had replied before WARDEN's last meeting as requested.

12. Planning

Jodhpurs Riding School, Blind Lane, Tockwith - Retention of first floor terrace, extensions to existing internal flat, change of use and erection of single storey extension to storage building to form indoor riding arena/storage area, & installation of new package treatment plant.

Standing Orders were suspended.

Residents and Businesses situated in Blind Lane expressed strong objections to this application. Standing Orders were resumed.

"The Council objects strongly to this application and requests that the determination of the application is made at a meeting of the Planning Committee, following a site visit, so that Members are aware of the location and site constraints and not under Delegated Powers, because of the strength of local feeling against the application.

1. Grave concern is expressed at the traffic implications of the proposals because of the current difficulties when vehicles park along Blind Lane, preventing access/egress by other residents/businesses, when an event is taking place at the Riding School. Blind Lane is a narrow country lane which is a Private Road, maintained at the expense of residents further along the Lane and a Public Footpath.

2. The large storage shed on site, partially erected but never completed or used for the stated purpose, was deemed to be necessary for the current size of the operation of the business. Does this mean that another building of the same vast size will be required if the current unit has a change of use? This Council expresses concern at the proliferation of very large, ugly buildings in an open countryside location.

3. If the size of the business is increased and room cannot be found on site for the current levels of traffic, how can it possibly be the case that there will be enough parking provision on the site for even more visitors?

4. Previous applications along Blind Lane have been refused, citing the reason that harm would be caused to the amenity of pedestrians, horse riders and other traffic using the Lane, particularly large agricultural vehicles. As the Lane is a Public Footpath but not a Bridleway horse riders would actually be trespassing if they went beyond the access to Jodhpurs.

5. If such a large expansion of the business is required and the Planning Authority is minded to approve the application, it is considered most important that an alternative access to the site is used and made appropriate for the volumes of traffic it would carry.

6. Access down Blind Lane for emergency vehicles and other traffic related to businesses and residences should be maintained at all times.

7. The Parish Council does not believe that the roads around the site are adequate to carry the increased volumes of traffic that the enlarged enterprise would engender, this comprising horse boxes and suchlike vehicles as well as motor cars and 4x4's. The road through Tockwith is a C class road and there are weight restrictions along its' length.

8. The site is not large enough to cater for the number of vehicles at present and the Council does not believe that the proposed site could cater for up to 100 vehicles when the site is in full operation.

9. Concern is expressed at the means of disposal of the waste generated from such a large enterprise. The Environmental Health Department should be consulted, an Environmental Statement required from the applicant and strict conditions appended to tightly control the storage and disposal of manure etc so as not to contaminate local water courses."

The District Cllr agreed to monitor the progress of the application and ask the Chairman to refer the decision up to the Planning Committee, following a site visit.

The County Cllr was asked to help regarding traffic issues, which are a matter for the County as Highway Authority.

Planning decisions already made by the PC Planning sub-committee were ratified.

10, Crawford Close, Tockwith - no objections

114, Prince Rupert Drive, Tockwith - no objections

Hedge at Wilstrop Siding - no objections.

Planning decisions and Enforcement issues were made known to Cllrs.

Cllrs expressed concern as it appeared little notice was being taken of PC Comments in response to recent planning applications.

It was suggested that a Planning Officer be invited to attend a future meeting to explain Planning Policies and Procedures.

The Chairman offered to put together a document on Planning Policy and interpretation of it.

The District Cllr. explained that HBC has to comply with Government regulations and there are tight time constraints, decisions should be made within 8 weeks so there is not time for negotiation, as in the past. He agreed to report the Council's concern to HBC.

HBC has been given more money recently as it is judged to be a good LPA.

The Council will track future applications to have examples of decisions made contrary to PC comments and discover whether HBC or the PC are inconsistent in reasons given for planning objections or support of decisions.

Resolved that the Cabinet Member for Planning and a Planning Officer from HBC be invited to a future Council Meeting.

Stage 1 premises on Marston Moor Business Park - a footpath and stile giving access to Fleet Lane had been provided but this was not covered in the "temporary" planning application/decision. Also local residents had complained of the light pollution at night when the buildings and site are brightly lit.

Resolved that the Clerk write to Stage 1, expressing the Council's concern and asking them to deal with site security in some other way, as external lights should be switched off overnight under Building Regulations. A planting scheme had also formed part of the planning permission and it was to be questioned when the landscaping scheme would be implemented.

If no suitable reply was received the matter could be made known to Planning Enforcement at HBC.

14. Proposed Operation of a Special Waste Transfer Station within an existing building, associated access, parking and vehicle manoeuvring, Unit 87, Marston Moor Business Park

Presentation by BCB Environmental Ltd.

The Chairman introduced the item by saying there was concern in the village and it was appreciated that the presentation would allow the opportunity to find out more about the operation.

Standing Orders were suspended.

Mr Boardman, the Managing Director, gave a resume of the Business and its' operation as a specialist waste disposal Company. The Company is the largest independent company of its' type in the UK.

· The Waste Management Licence at the present site is held by Leading Solvent Supplies, though for the last 6 years the site has been operated by BCB.

· 50% of the materials handled are not hazardous waste, defined as waste/spent material with concentrations at a level of 0.1% of total materials dealt with.

Materials handled are usually paint, glue, ink and oil.

· Management of the site is hazard free with no radioactive materials involved.

· The facility is a clearing house for mixed toxic waste in 45 gallon drops.

It is brought to site, separated into type - there are 6 basic categories, then stored until a load of a specific type is ready for onward transit. There is no stock-piling of materials for any length of time.

· The Waste Management Licence for the current site has never been breached.

· A larger site is required for operational reasons. IPPC Regulations (Pollution and Prevention Controls) will apply by the end of 2005.

Unit 87 is a modern, large building which can be sealed to create zero emissions and no noise

breakout etc. with higher standards of control possible. The building will be maintained at -ve pressure constantly so there will be no emissions.

- The potential storage capacity is 36,500 cu. m. but the maximum used will be 358 cu m.
- An IPPC Licence has been applied for, this must be operative before any approval is implemented.

The IPPC permit calls for stringent operating conditions and the site will employ 4 chemists and 3 managers with £100,000 spent on a laboratory and new IT. This technology will include sophisticated control systems to monitor air quality, decommissioning as required if the Company should relocate and inclusion of web cams into the business. £200,000 will be spent on things not required by any Licence but which will be good aids to managing the business.

- The proposed operation, within a building and under strict controls, will be far better for the locality than the current operation on an outdoor site.

Mr Martin Dale then gave a response to PC objections made to the application.

1. Regarding the Environmental Statement -

Planning Law is complicated, the Environmental Impact Assessment is considered by NYCC, as Waste Planning Authority. The County Council will ask for additional data if they believe it is required.

2. There have been no objections from the statutory consultees.

3. The Emergency Plan -

BCB have their own internal safety procedures.

North Yorks. Fire & Rescue service have not submitted a formal response, as yet, but have given a verbal undertaking that there would not be objections to the proposals.

The water pressure on the Business Park is low, but there are contingency plans, should water be needed, for an emergency.

Due to the nature of the storage covering only 1% of the building volume, the Unit could be entered and any fire dealt with inside the building.

4. Non-Neighbour Friendly Operation -

The processes produce zero emissions. The site is self contained and there will be no impact on neighbours.

5. Traffic -

Questions of current and projected volumes are addressed in the application.

The current annual throughput is 20,000 tons and the 50% projected growth has not materialised so the IPPC application is for 40,000 tons p. a. A modified Permit will be required if additional growth is achieved. Over 4 years from last year the estimated throughput in 2008 will be 109,000 tons.

Maximum weight HGV's will be used, equivalent to 15 vehicles per day in and out.

Back-loading is done whenever possible so total vehicles per day would be 18.

There will be no net gain and the increase of traffic on Rudgate is considered insignificant in the total traffic volumes.

6. Noise -

It is recognised that manoeuvring vehicles create noise so the hours of deliveries will be limited to 6am to 8pm with no deliveries on weekends or Bank Holidays.

Vehicles will not be reversing and throughput will be easier, thereby restricting the noise produced.

Questions and Comments

Is there a danger in the mixing/spillage of hazardous chemicals?

There will be no processing of waste on site. Splashes occur all the time and amalgamating liquids is the only operation involving the chemicals.

Fire is the main worry because of the flammable nature of the liquids involved.

No large stocks are carried, there is not likely to be in excess of 40-50 tons at any time.

Stringent management controls are in place.

In the context of the Business Park, the BCB operation deals with only a small % of volatile liquids/flammable solvents.

Waste Management Industries are highly regulated and IPPC rules, which are going to be policed stringently, are tighter than those pertaining to Waste Licences.

Cllrs considered it most unfortunate that the information given tonight had not been put in the application/EIA (Environmental Impact Assessment) which would have allayed local concerns.

BCB apologised for not approaching the PC earlier.

The application was kept brief to obtain a scoping opinion from the LPA. (Local Planning Authority -NYCC)

The Chairman said the purpose of tonight's meeting was to find out more about the procedures involved in this application. The PC has to comment on the planning application not the IPPC Permit application and as planning legislation does not control activities the PC is concerned at the lack of knowledge about the operation.

The LPA has received a request for further information from the Environmental Health Department of HBC, regarding conditions about noise etc.

Mr Simmonds said that, in the main, PPG's do not require regulations to be duplicated.

The Mineral and Waste Planning Authority, as consultees, pass concerns to the Environment Agency, who decide on the IPPC application, and it is a simple matter to add conditions to any decision.

BCB are professionals in Waste Management, and have been operating for over 20 years. There will be zero emissions and no effects on the surrounding areas.

Most of the operation involves confirmation of the type of material to be dealt with.

The operation is not crude but refined nationally and becoming highly technical. The Government and Environment Agency rules will be much stricter than current ones.

Cllrs said it had been helpful to have this evening's presentation as concerns about the operation, the operating hours, (which had caused problems in the past), traffic and its' control, the fact that other sensitive businesses operated nearby and the proximity to a large residential development had all been raised.

The District Cllr said that 1% of the material to be dealt with could be anything, as it was not specified in the application. The current Licence being used belongs to Leading Solvent Supplies.

Would this mean that some other business would use the Licence if BCB relocate?

The material could be any chemical but would not be radioactive, medical or clinical, explosive or organic as all materials on site had to be auditable and have a designated destination.

It was most unlikely that the Licence would be used by another Company. It was believed that Leading Solvent Supplies would expand their retail operation on the current site.

The guests were thanked for their attendance and presentation.

Standing Orders were resumed.

The Chairman believed the presentation had been useful and informative and asked Cllrs for further comments.

Some Cllrs were not happy with the lack of information in the planning application.

Cllrs were asked to think about what they had learned tonight and decide whether to adjust the response to the LPA, ask further questions of BCB, or ask for additional safeguards.

A copy of the IPPC Permit Application had been left for Cllrs to see.

The Clerk was asked to write up the Minutes and circulate them to Cllrs at an early date so that they could make an informed decision.

9. Report by County Councillor

· Cllr Savage awaited instructions regarding the BCB application.

· Waste Recycling Centre ("stone crushing plant") - the time limit has elapsed and there has been no Appeal.

· Skewkirk Bridge - the Chief Executive and the Solicitor from NYCC had visited Birmingham and NYCC were to submit a planning application to erect the bridge.

· Tadcaster Grammar School Transport - the bus does not stop at Wighill, saving 10-15minutes at each end of the school day.

Cllrs reported that they had received complaints about the condition of the school buses.

Cllr Savage will follow this up.

As a point of interest Cllrs mentioned that the children attending St Aidan's/St John Fisher have to change buses in Spofforth. Cllr Savage said he would look into the matter.

The County Cllr was thanked for his report.

10. Report by District Councillor

- Noise from the airfield - the monitoring has been stepped up. A Statutory Noise Nuisance had been found, on occasion, but the frequency of the disturbances needs to be proved. Cllrs reported that the main runway has been used, again, although there is a Noise Abatement Notice on it. Cllr Bowyer had information of the times, dates and types of activities, which he agreed to pass on to the Cllr.
 - Planning - Cllr Sturdy agreed with the concerns about planning decisions. He would ask a Planning Officer and the Cabinet Member for Planning to attend a PC Meeting later in the year.
 - Wilstrop Lodge Farm - the application had been refused solely on lack of affordable housing.
 - East House Farm - negotiations were ongoing with the applicant and the Planning Officer. It was believed that the current proposals were for two dwellings on the Farm site and two affordable dwellings on farm land opposite the Play Area on Marston Road.
 - Stage 1, Marston Moor Business Park - Enforcement Officers are aware and concerns are being addressed.
 - 89-91, PRD verge - decision due to be made by Chairman of Area 2 next week. Officer recommendation is for approval. Cllr Sturdy has asked for a site visit followed by a Committee decision.
 - The Cllr had collected the waste bin and would deliver it to Cllr Mrs Wardman's house.
 - A Members Budget application for works at the VH has been approved.
 - There will be an all out postal Election for Yorkshire on the 10th June.
- The District Cllr was thanked for his report.

11. Correspondence

Items 17 to 35 were made known to Cllrs.

Cllrs asked questions and made comments on individual items of interest.

13. Accounts

Bank balances

Lloyds Bank Treasurer's a/c (as at 30.03.04)	14,895.77
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Accounts to pay/ratify

WARDEN (annual subscriptions)	10.00
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J Lewis Roofing	198.00
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YLCA - annual subscriptions	252.00
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Village Hall (room hire)	82.00
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Receipts

Allotment rents	1.00
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Resolved that a new Savings account, which pays interest, be opened with Lloyds TSB.

Cllrs Kennet, C Billenness and W J Bowyer to be the signatories.

Cllr Alderton reported that the kitchen installation at the VH is due to take place in the first week of May.

Resolved that the PC would pay £1,500.00 for the kitchen if the invoice is sent to the PC after completion.

Resolved that the Bank balances be accepted, and the accounts be paid/ratified as above.

Date of next Meeting: WEDNESDAY 19th MAY 2004, immediately following the Annual Parish Meeting to be held at 7.30 pm in the Village Hall.

CLLRS ARE REMINDED TO PRODUCE REPORTS FOR THE ANNUAL MEETING.

The Chairman thanked everyone for attending.

The resolution for exempt matters was read out and the meeting closed to the public.

One parishioner wanted to speak but was advised to speak to the Chairman after the meeting as the meeting was now closed.