

## **TOCKWITH WITH WILSTROP PARISH COUNCIL**

### **Minutes of a meeting of the Council held on Wednesday 18th FEBRUARY 2004 in the Village Hall at 7.30pm**

**Chairman:** Councillor M Kennett

**Present:** Councillors Mrs Wardman, Mrs Billenness, R Lumley, W J Bowyer, B Alderton, N Waller, C Billenness.

**In attendance:** County Cllr Savage, District Cllr Sturdy, Mrs J Bygate (Internal Auditor), Mrs G Firth (Clerk to the Council), Mrs Steed (VHMC), 6 members of the public.

1. **Apologies for absence** - were received from Cllr Saunders and PC Haydon.

The Chairman welcomed everyone to the meeting.

#### **2. Police matters**

There was no Police Officer in attendance but PC Haydon had contacted the Clerk, given his apologies for the meeting and delivered the up to date crime figures for distribution.

- Resolved to invite the new Officer, Inspector Barker's replacement Inspector Waind, to attend the March meeting.
- Cllr Bowyer reported that the Chief Constable was to address the next YLCA meeting
- The message to keep doors locked even when inside, keep keys and valuables hidden from prying eyes and cars to be garaged if possible to be stressed to the public.
- An M registered red Ford Transit has been reported to have been involved in stealing York stone. Sightings to be reported to the Police. A grave in Hunsingore churchyard had been desecrated in an attempt to steal stone. The criminals tended to wear yellow jackets and look to be on official business.

#### **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**

- Cllr Bowyer and the Clerk reported back on the meeting at Harrogate to discuss the reorganisation of Local Government. If there is a Yes vote for a Regional Assembly for Yorkshire & the Humber, then a new Unitary Authority will replace the current District and Borough Councils. YLCA have decided not to express support for any of the options. It is believed West and South Yorkshire may want Regional Government but not North Yorks. It was noted that Selby District seemed remote from other North Yorks. Authorities and would go into the East Riding of Yorkshire. In spite of this the Boundary Committee had moved several Wards in the present Harrogate & Knaresborough Constituency into the Selby Parliamentary constituency.
- The Council had received a copy of a letter concerning a meeting to discuss the proposed footpath from Prince Rupert Drive to the School. Cllr Bowyer agreed to attend and keep the Council informed of progress.
- The Chairman had not had a meeting with Mr Fattorini yet.

#### **8. Report by County Councillor**

This item was taken early as the Cllr wanted to leave early for another appointment.

- Tadcaster Grammar School - School Bus - timings of pick-ups and set-downs had been altered to accommodate Long Marston children.
- Council Tax - NYCC to be 5.75% increase.
- Cattal Station, car parking - to be an item on the NYCC Harrogate Area Committee meeting tomorrow. Problems with car parking exist at Cattal and Kirk Hammerton. Efforts are being made to find alternatives to current sites.

- Skewkirk Bridge - to be an agenda item at tomorrow's meeting. The County Cllr has been advised he must not speak at the meeting but must declare an interest as he has previously made public statements which would lead the public to believe he had already made up his mind. Parish Cllrs are advised to take extra care when making statements as the Code of Conduct applies to them as well. The NYCC Officer recommendation is to progress the matter to try and get the bridge reinstated. In spite of comments to the contrary it was confirmed that Mrs Muir spoke previously on behalf of the ACS and residents of Tockwith and Kirk Hammerton. At no time had she spoken on behalf of the Parish Council.
- Police - it is believed that the Chief Constable is not in favour of Officers attending PC Meetings. The County Cllr had chaired a meeting recently to which the Chief Inspector had been invited but he had been instructed not to attend.
- "Stone crushing plant", good news, the Appeal has been withdrawn.
- Chemical Waste Transfer Plant, application on the Business Park. The Cllr awaits instructions from the Parish Council.

Cllr Bowyer had done the neighbour notification. He reported that, although there was an Environmental Statement with the application, there were many gaps in it and unhelpful comments such as "not known" or "to be decided"; the PRD Estate is within 500 metres of the application site; the application concerns dangerous and hazardous chemicals; commercial wagons of 44 tons will be used and the Business Park roads are not considered suitable for such large vehicles, especially carrying volatile chemicals; the applicant states that the relocation is to allow expansion of the present business; it is not believed that the infrastructure of the area can cope with this application; an Emergency Safety Plan should accompany such applications.

The County Cllr was concerned because of a history of complaints about the smell from the present site and the effect on the skin and eyes of passers by. If there was to be a massive increase in the size of the operation such problems would be exacerbated.

The Parish Council was strongly opposed to the application, especially with the prevailing winds towards the village.

## **5. Public Questions or Statements**

There were none.

## **6. Village Hall**

(1) Lease - (2) Management Company formation

· Mrs Steed was asked to speak with Mr Lake and ask that outstanding issues be dealt with as soon as possible so the matter could be progressed with all haste and concluded.

(3) General

· The Youth Club had been suspended for two weeks recently because of particular instances of vandalism and unacceptable behaviour. Mr Goodrick cannot be expected to carry on when alone and unprotected. Mr Linfoot, Mr Goodrick and two members of the Youth Parliament have been invited to the March meeting. A copy of the Incident Book and record of specific instances will be needed for the meeting.

· Cllr Billenness agreed to approach a contact of his who is a master locksmith to investigate alternate methods of securing the Village Hall.

· The Insurance Policy of the Village Hall only covers incidents occurring on the premises and within the boundaries of the Hall.

· If justified, it was suggested that the hirer of the Hall should pay for a supervisor/caretaker whilst activities are going on. Problems must be resolved soon for the benefit of all user groups.

· A 2nd cleaner is being employed for 2 visits per week

· The floor is to be sealed and polished

· Owing to recent vandalism, measures such as CCTV, a Burglar Alarm and a high boundary fence were being investigated. Repairs were ongoing.

· The Boiler Room is to have a frame installed to protect the boiler from damage.

· The electricity costs are very high. It was suggested that the units used were checked, the meter checked for faults, the outside halogen light may be responsible as it costs a lot to run and the Cleaners were to be asked to do a weekly check on the number of units used.

- New internal doors are due to be fitted next week
- Ceiling guards have been erected to protect the lights from damage
- Painting of the Hall should be completed soon.

## **7. Field off Tockwith Lane**

In the absence of Cllr Pick it was agreed to defer this item to the March meeting

## **9. Report by District Councillor**

- Wilstrop Lodge Farm planning application - decision pending
- Rural Safety Schemes - to be agenda items at the NYCC Harrogate Area Committee meeting tomorrow but the Tockwith scheme is to be covered by the NYCC Highways Budget for 20 m.p.h. zones
- Landscape Character Assessment - will go to Cabinet Member on Friday for confirmation. There had been many good Parish Council comments during the consultation.
- Council Tax - will be 7.5%
- Members' Budget grant applications must be submitted by 5th March.
- Cattal Station - lease for car park to be terminated as pub and land bought for restaurant use. County will be submitting a planning application for an alternative car park as soon as arrangements can be made.
- Old Malt Kiln planning application - withdrawn. Believed to be concerns about (i) loss of an employment site and (ii) vehicle parking and access

The District Cllr was reminded that he had said he would provide planning application packs for the Clerk. No replies had been received (i) as promised at the November meeting of Parish Councils with HBC, (ii) to the Village Safety Scheme submission. The Cllr was asked to follow up these matters.

The District Cllr was thanked for his report.

## **11. Planning**

Bracken House, Moorside - erection of single storey rear extension

Cllr Billenness had done the neighbour notification and there were no objections. There were no visual or amenity concerns. The applicants were present to answer questions if required. It was confirmed that the extension would be within the domestic curtilage and not into the adjacent paddock. The Parish Council had no objections.

6, Marston Road, Tockwith - demolition of existing dwelling and erection of 1 no replacement dwelling. The Parish Council did not object to the principle of development but wished to make comments about (i) the height of the proposed dwelling, given that it is set forward of adjacent dwellings and could look overbearing (ii) the appearance of the bay windows to the front elevation (iii) materials used should be in keeping with adjacent properties and with the Conservation Area status of this prominent site in the centre of the village (iv) the extent of the domestic curtilage is queried as a very large house is proposed and this would look incongruous on a small plot (v) the dwelling should be set back by at least 10 feet from the plot frontage so as to form part of the natural progression of gradual setting back of frontages of adjacent properties. These comments were made known to the site owner at the last Council meeting.

It is requested that any modifications to the plans, sent to the Parish Council for comment, should be made known to the Council before determination of the application.

6, Marston Road, Tockwith - Conservation Area Consent for the demolition of one bungalow. The Parish Council had no objections.

The Lodge, 61, Westfield Road, Tockwith - Listed Building application for the insertion of 1 no first floor window to the west elevation. The Parish Council had no objections.

Ferncliffe House, 41, Westfield Road, Tockwith - erection of detached garage of 2 no rear dormer windows (revised scheme). The Parish Council did not object but wished to make comments about the type of roof lights to be used in the Conservation Area which should not be of a size which would be dominant on the front elevation of the roof.

89-91 PRD verge - decision pending. The Planning Officer is minded to approve the application, having asked the applicant to make sure residents of 89-91 can access their properties. The local residents are now believed to be speaking to the applicant as they do not want a public footpath from the POS through the cul-de-sac. The Chairman said it was important that the Planning Officer realised the importance of not damaging the venerable hedge or allowing a gate through the new fence into the new curtilage and a condition should be appended to any permission. The District Cllr was asked to follow this up and keep the Council informed.

Proposed Operation of a Special Waste Transfer Station within an existing building, associated access, parking and vehicle manoeuvring, Unit 87, Marston Moor Business Park, Tockwith - owing to the complex nature of the application it was resolved that a planning sub-committee/working group be delegated authority to discuss the proposals and report back to the next meeting. In the meantime the Clerk was asked to request an extension to the time allowed for responses to be submitted.

It was suggested that the Emergency Plan for the Business Park should be scrutinised, the tenants of the Park made aware of the application, the dangers of the chemicals involved and their possible mixture be investigated, the size of the proposed business be queried as the current site already causes problems, the infrastructure of the surrounding area be questioned as well as the possible use of the Water Tower, which is not believed to be able to operate. Cllrs C Billenness, Bowyer and Saunders were delegated authority to act as the Working Group. The Chairman wished to be kept involved and the site owners, Evans should be approached and told that residents, who had supported Evans business expansion locally, had grave concerns and wished for support from the site owners. A copy of the application and Environmental Statement was to be passed to Mr Milner, who would forward it to his daughter for comment.

Registration of Common Land

Standing Orders were suspended.

Mr Muir outlined the historical background to the case, and the actions taken to date. The Hammerton Mill Sandbeds, along the River Nidd by Skewkirk Bridge, opposite the Mill, were mentioned in the 1792 Enclosure Award which allowed the residents of Tockwith to use the sand. By the 1960's the sand had been removed by either: (i) being washed away after the dam was flood affected or (ii) being taken away by a haulier on the Kirk Hammerton side of the river at the behest of the landowner on the Tockwith side. The land had been Provisionally Registered as Common Land, the Tockwith Parish Council of the day had not objected to the Provisional Registration, the then Rural Councils of the day, Wetherby Rural District Council and West Riding County Council had removed the provisional registration.

The PC, believing that having Common Land is a good thing, had made application to North Yorkshire County Council to register the Land, (even though the sandbeds no longer exist there is land beyond the riverbank which was originally with the sandbeds in their registration). Statements are being obtained from residents of 20 years or more duration and these will be submitted to NYCC along with a response to the objectors to the Registration. The case may go to the Court of Appeal and ultimately the House of Lords before a final decision can be made.

Standing Orders were resumed.

The Council resolved to accept the advice of the Barrister and seek evidence from residents to corroborate actions taken thus far. The Council thanked Mr Muir for his professional help and agreed to go ahead with the application.

Planning decisions were made known.

## 10. Correspondence

Additional item 22-34 were made known.

- Social Exclusion in Rural Areas of N. Yorks. - to pass to YC/ Scouts/ Sportsfield Trust
- RMG A1 meeting - Cllrs WJB, CB and CS to attend
- Rural Trend Survey to be completed by Clerk

Standing Orders were suspended.

- Old Malt Kiln planning application - Mr Dalton explained that negotiations about the design and details were ongoing with Planning Officers so that the application could proceed when the

matter of loss of commercial premises is resolved.  
Standing Orders were resumed.

### **Accounts**

#### Bank balances

Lloyds Bank Treasurer's a/c (as at 30.01.04) 15,679.27

#### Accounts to pay

YRCC (annual subscriptions) 25.00

#### Grants:

Tockwith Methodist Church 250.00

(The above grant reflects additional costs for Room Hire)

Tockwith & District Show Committee 100.00

Tockwith Sportsfield Trust 200.00

Hunsingore DCC (Cowthorpe Church) 80.00

(Cllr Billenness reported that the mower at Cowthorpe Church needs replacing and a further request for funding will be forthcoming at a later date)

It was resolved to commit a grant of £200.00 to the Village Hall Management Committee towards the provision of disabled toilets. The grant would be paid once work commenced.

The Clerk reported that she had met Mr Lewis, the roofing contractor, on site and discussed the emergency repairs required and a quotation for more comprehensive repairs to the roof.

In considering a grant application by Tockwith & District Show Committee, the following Cllrs declared an interest by reason of membership of the Committee but exercised their right to vote in accordance with an exemption granted by HBC Standards Committee: Cllrs C Billenness, L Billenness, Kennett, Waller, Bowyer and Alderton.

Cllr Alderton declared an interest in the grant application by the VHMC.

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

13. Date of next Meeting: to be held on WEDNESDAY 17th MARCH 2004 at 7.30 PM.

The Chairman thanked everyone for attending, read out the resolution for exempt matters and declared the meeting closed to the public.