

## **TOCKWITH WITH WILSTROP PARISH COUNCIL**

**Minutes of a meeting of the Council held on Wednesday 20th OCTOBER 2004 in the Village Hall at 7.30pm**

**Chairman:** Councillor M Kennett

**Present:** Councillors Mrs Wardman, C Saunders, W J Bowyer, N Waller, C Lake, P Pick,

**In attendance:** Mrs J Bygate (Internal Auditor), Mrs G Firth (Clerk to the Council),

10 members of the public.

1. **Apologies for absence** - were received from Cllrs Smith, Hewick and Billenness, Inspector Waind, PC Haydon and Mrs Steed.

The Chairman had advised of his attendance at a prior meeting and given apologies for lateness.

In the absence of the Vice-Chairman also it was resolved that Cllr Bowyer be appointed Chairman for the start of the meeting and he took the chair.

He welcomed everyone to the meeting.

### **2. Police Matters**

· The 30 mph signs on Southfield Lane had been vandalised. This had been reported to the Police 2 weeks ago but no acknowledgement/reply had been received. The signs had been repaired and replaced by NYCC in the interim.

· At the CaP Group meeting last week it had been reported that the Police have to pay extortionate amounts of money for forensic services.

· A new single non-emergency number for North Yorks. Police is 0845 6060247

· Complaints had been received of youths using Fleet Lane/Westfield Road/Marston Road as a race track, using Ralph Garth as a turning area to do speed turns.

Standing Orders were suspended.

· Further complaints received of speeding along Fleet Lane, especially past the Dog and Gun corner, where inadequate sight lines and parked vehicles add to problems. This is a particular problem at night.

· Very large vehicles/tankers are using the C class road through Tockwith and Cowthorpe from the B1224 at Long Marston to the A1.

· A large tanker had stopped along Marston Road and asked for directions to Tockwith Toxic Waste Dump site.

· An early morning disturbance had occurred outside Springfield House with 5 cars on the verge, trying to start a diesel vehicle. Debris had been thrown over the wall into the garden of Springfield House.

· Speeding traffic along PRD was also reported.

Standing Orders were resumed.

The Clerk was asked to pass on all these concerns to the Police.

### **3. Minutes of the last Meeting of the Council**

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**

· Smells from Kendal Lane ditches - Cllr Waller had reported this at the last meeting and the fact that HBC had not reported back on the matter. The District Cllr had followed this up and the Environmental Health Officer was supposed to have visited the site this week. A report is expected in due course but the D Cllr will pursue the matter.

· Smells from the airfield - this had been particularly noticeable at night but HBC Officers say they cannot do anything at night time.

It was suggested that the D Cllr, the Environmental Health Officer and interested Parish Cllrs could arrange to meet on site to discuss the problems further.

· HBC Consultation meeting with Parish Councils - Cllr Smith had attended and would report once the action list from the meeting has been circulated.

· PC Haydon had assured the Council that more speed traps would be set up along Marston Road in the coming months.

· Cllr Bowyer and the Clerk had attended an interesting and informative Seminar on Open Space Policy and Commuted Sums held recently in Harrogate and reported back.

Standing Orders were suspended.

· Mr Davies asked if there had been a response from NYCC about the ginnel barriers.

Standing Orders were resumed.

The Clerk reported the letter stating that, although NYCC would not accept responsibility for the ginnel, they would be prepared to remove the barriers and erect a kerbside barrier to prevent cyclists riding out into PRD from the ginnel. Once this work has been done the surface of the ginnel and tree roots could be addressed. Mr Davies thanked the Council for action in this matter.

### **5. Public Questions and Statements**

Mrs Penny Cole had requested the opportunity to speak on the matter of Skewkirk Bridge.

Since 1986 NYCC has confirmed the right to a Public Bridleway over Skewkirk Bridge, until 2004 when it was not admitted. When at last a planning application to reinstate the bridge has been

received, the bridge applied for is a footbridge, with restricted access. The need is for a public facility for parishes at both sides of the River Nidd and not just a recreational amenity for ramblers. It is suggested that NYCC has a duty under Section 136 of the Highways Act to install a public bridleway bridge for the benefit of the public.

Mr Davies spoke of the need for the bridge to be wheelchair accessible, especially with regard to the Disability Discrimination Act.

Mr Waterhouse believed the bridge should be accessible by riders who could dismount and lead their mounts across. The difficulty appeared to be that NYCC said a bridleway does not exist on the KH side as it was not established after the war.

Cllr Savage said it would have been preferable to have a bridleway bridge but he was happy that at long last a bridge was about to be reinstated. This bridge should be accessible by wheelchairs.

## **6. Village Hall**

Lease and Management arrangements - Cllrs Billenness and Lake have not met.

Cllr Lake gave a report on the latest position, the Lease and Deed of Trust have been drafted.

At last weeks VHMC AGM it was reported that an annual return had had to be made to the Charity Commission for the first time as income had exceeded £10,000.

## **7. BCB planning application**

Site visit - Cllr Bowyer to attend on behalf of the PC

Planning & Regulatory Functions meeting on 26/10 - Cllr Bowyer to attend o/b/o the PC

Cllrs were asked to put forward any final comments for passing to the Planning Case Officer.

Highway matters remained of great concern. Working hours were also a matter of concern.

The Parish Council has not changed the views expressed in para 3.3 of the Officers Report to Committee.

Standing Orders were suspended.

Residents spoke of concern about:-

- Tankers, containing potentially hazardous waste, passing through the village
- Tankers being cleaned between journeys in the open air, allowing smells to become a nuisance on PRD and possibly polluting local water courses
- Vehicle movements not being controlled and the Authority not being able to monitor or assess the impact on local roads
- The application seen by the PC does not meet the Company Policy as published on their web site so it is difficult to believe assurances given

· A large petition had been signed by residents and sent to NYCC

Standing Orders were resumed.

After a full debate it was resolved that the following submission be sent to NYCC:

The Parish Council OBJECTS to the application on the following planning grounds:-

**TRAFFIC LEVELS** - the Parish Council has not been convinced by the Highway Authority that the amount of additional traffic can be accommodated on local C class roads, especially Rudgate. On this road and within the Business Park itself it would not be possible for the large 40 ton tankers, carrying potentially hazardous waste material, to mix with other traffic and be able to pass in safety. The application states that there will be no more than 36 vehicle movements per day BUT it is not considered that this can be monitored or enforced effectively, especially given the applicant's stated intention to expand the business by 50% year on year. The Highway Authority does not appear to have taken into account the cumulative effect of additional traffic along the main access route to Tockwith village and across the River Nidd to Cattal and the A59 from the Wetherby/York area and a bus route for both service and school transport as well and admit that the last consideration of traffic levels in this location took place more than two and a half years ago.

**VEHICLE MOVEMENTS** - the applicant stated at a recent public meeting that all tankers visiting the site would belong to the Company. Last week a large vehicle passing through the main street of Tockwith village stopped a resident and asked directions to the TOCKWITH TOXIC WASTE DUMP site. This suggests that a) the vehicle driver did not know the delivery address, strange if he worked for the Company, b) there are 7.5 T weight restrictions on local roads and the vehicle should never have been passing through the village and c) the description of the ultimate address gives rise to great concern.

**WORKING HOURS** - The Environmental Health Officers at Harrogate Borough Council have made recommendations but these do not appear to have been included in the County Council Planning Officer's Report. There should be no working after noon on Saturdays, none at all on Sundays and Bank Holidays and working hours restricted to not include evening and night time.

**SAFETY/RESIDENTIAL AMENITY/PROXIMITY** -the nearest dwelling is stated to be Netherlands but this is also a residential boarding kennels and cattery. It is surely far more difficult, if not impossible, to evacuate animals in the event of any incident. The residential Estate is directly downwind, across the open airfield, from the proposed site and the proposals in the application are not believed to be appropriate for such an area.

**NOISE/SMELLS** - this last week Harrogate Borough Council Environmental Health Officers have visited the site following complaints from residents on Prince Rupert Drive, the 300 house estate adjacent to the airfield. 'Chemical smells' were recorded on the estate and at both the Leading Solvent Supply and BCB sites, where work to wash/clean drums/vehicles was being carried out in the open. The Environment Agency and Health & Safety have been informed about these incidents. Concern is expressed about where the effluent from such operations is going and the danger of pollution to local water courses.

**ACCURACY OF INFORMATION** - great concern is expressed locally at the information given with the application as compared to web site information on the Company Policy of BCB. As this information does not tally and with reported instances of recent incidents, the Parish Council is very concerned at the implications should this application be permitted.

The Parish Council earnestly requests that these comments are made known to Members who will be deciding this application at the Committee Meeting.

## **8. Marston Road Play Area**

Cllr Wardman reported vandalism and graffiti at the Play Area. She had contacted the manufacturers and received their recommendations for cleaning and making good the surfaces of the Play equipment.

It was resolved that, following receipt of the RoSPA Inspection Report and any recommendations it may contain, materials can be ordered and a working party formed to do the necessary repair work. (The paint required costs £13.50 per litre + VAT + carriage)

## **9. Bus Shelter**

Cllr Bowyer reported complaints from PRD residents about having to wait at the Fleet Lane bus stop without protection from the elements.

The D Cllr stated that HBC are upgrading bus shelters in the urban areas and it may be possible to acquire a shelter, which would need erecting with permission from NYCC. The District and County Cllrs agreed to liaise on this matter and the Clerk agreed to research funding sources.

## **10. Report by County Councillor**

· Common Land - the decision made at the last Harrogate Area Committee meeting, to defer the decision to a sub-committee which would return to committee with recommendations having viewed all the evidence, would appear not to have followed established procedure. The NYCC Legal Officers are looking into the matter and are expected to report to a future committee on the way forward.

· Transport Plan - would appear to cover Harrogate & Knaresborough and not the rural areas. Cllr Savage is pressing for a Rail Halt at Flaxby and a designated Car Park for Cattal Station. (NYCC are proceeding to buy/rent/lease an area of land for 18/22 car parking spaces.) Cllr Savage would be grateful for support from local Parish Councils in this regard.

· Skewkirk Bridge - after many years of effort it is pleasing to see that an application has been submitted to erect a bridge.

The County Cllr was thanked for his report.

## **11. Report by District Councillor**

· Chemical smells on PRD - had been reported on 14/10 at night and on 18/10 at noon. EHO had visited but could not pinpoint which Company, (LSS or BCB), the smell originated from. The Environment Agency and Health & Safety had been informed.

· Noise from airfield - a Noise Abatement Notice had been served on Mr Moore so the model aircraft flying can not operate. Although there is a NAO on the main runway the Police Armed Response Training is still taking place.

· 23 and 25 Fairfax Crescent planning applications are both recommended for refusal at the next Area 2 DC Meeting

· Fleet Lane - speeding traffic - the D Cllr suggested a traffic calming scheme similar to a village gateway could be investigated. The Cllr was informed that the PC has tried this in the past but NYCC have to approve and regulate any such scheme. It was suggested that PC Haydon be asked for information to prove there is a problem and this could be passed to NYCC as confirmation.

· Cabinet Meeting - HBC targets for recycling have improved but much more needs to be done to meet Government targets. There is to be a green waste recycling trial in urban areas, with fortnightly wheelie bins. More money will be received from central Government if 21% target is met. DC rates will have to increase to cover expenditure on Govt. requirements.

· Rates - Council Tax should not increase by more than 5% because the Government is likely to cap Councils which exceed this figure.

Cllrs expressed the view that Parish Precepts are being used to cover urban affairs. There is a perpetuation of the 'us and them' culture, of being double rated if living in rural areas.

The District Cllr was thanked for his report.

Cllr Kennett arrived and took the Chair.

## **12. Correspondence**

Items 42 to 55 were made known to Cllrs.

· The Local Telephone Directory - residents had received Directories not appropriate to the area, some York, some Leeds. The Harrogate Area directory, needed for hospitals and Council information should have been provided. The Clerk was asked to contact BT, explain the problems, register the concerns and suggest changes.

· Village Safety Scheme - was approved as the Council's submission. Cllr Smith was thanked for his time and effort in preparing the application.

· Precept - would be prepared by the Clerk/RFO for discussion at the November meeting. Cllrs were asked to let the Clerk know if they wished for any special items to be included.

· PCT Consultation document - taken by the Chairman for perusal

· The Chairman and Clerk will meet Mr Fattorini to discuss the Common Land application

· The Clerk will deal with the allotment tenancies, rents and vacancies

## **13. Planning**

Skewkirk Bridge - proposed outline application for the erection of a footbridge at Skewkirk, Mill Lane, Kirk Hammerton

Cllr Wardman declared a non-prejudicial interest as a committee member of ACS.

The Parish Council SUPPORTS the replacement of Skewkirk Bridge.

The Parish Council has the following concerns/objections to the planning application:-

· NYCC has admitted for many years and certainly since 1986 that there is a public bridleway across the River Nidd at Skewkirk. Any replacement bridge should therefore be a public bridleway and not a footbridge as proposed.

· The proposed bridge is not considered wide enough to allow the passage of wheelchairs as required by recent legislation under the Disability Discrimination Act.

· The proposed design of the bridge is not believed to be in keeping with the very rural surroundings.

· Access to the bridge for all should not be precluded by the installation of kissing gates which would prevent wheelchairs/buggies from being used.

Ivy Cottage, 43, Westfield Road, Tockwith - demolition of existing single storey rear extension and erection of two storey rear extension with rear conservatory (revised scheme)

No objections.

23, Fairfax Crescent, Tockwith - Outline application for the erection of 1 no dwelling, including siting and access and erection of new detached garage for no 23.

The Parish Council objects to this application on the following planning grounds:-

1. The proposals are believed to be an overintensive use of the site
2. The proposals would result in a lack of residential amenity for the occupants of adjacent dwellings
3. The proposals would cause unacceptable traffic problems in the cul-de-sac

25, Fairfax crescent, Tockwith - Outline application for the erection of 1 no dwelling, including siting and access and erection of new detached garage for no 25

The Parish Council objects on the same grounds as for the application at no 23 above.

2, Lucas Grove South and 238, Prince Rupert Drive, Tockwith - Reserved Matters application under outline permission 6.124.184.A.OUT relating to the proposed arrangements, including proposed footpath/cycleway.

Cllr Kennett declared an interest and left the meeting during discussion of this item.

The Parish Council does not object to this application. Some residents do object to the proposed footpath.

Wilstrop Lodge Farm, Moor Monkton - conversion of redundant farm buildings to form 3 no dwellings with 2 parking barns and installation of new package treatment plant (revised scheme)

No objections.

Planning decisions and enforcement issues were made known.

#### **14. Accounts**

##### Bank balances

Lloyds TSB Treasurer's a/c (as at 30.09.04) 2,500.00

Lloyds TSB Business a/c 19,102.88

##### Accounts to pay/ratify

R Farrer (grounds maintenance) 305.00

##### Receipts

Precept 2 7,500.00

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

**Date of next Meeting: WEDNESDAY 17th NOVEMBER 2004 at 7.30 pm in the Village Hall.**