

## **TOCKWITH WITH WILSTROP PARISH COUNCIL**

**Minutes of a meeting of the Council held on Wednesday 15TH SEPTEMBER 2004 in the Village Hall at 7.30pm**

**Chairman:** Councillor M Kennett

**Present:** Councillors Mrs Wardman, C Saunders, C Billenness, W J Bowyer, N Waller, M Smith P Pick, D Hewick

**In attendance:** County Cllr Savage, District Cllr Sturdy, Mrs J Bygate (Internal Auditor), Mrs G Firth (Clerk to the Council), Mrs F Steed (VHMC Chairman), 4 members of the public.

**Apologies for absence** - were received from Inspector Waind and Cllr Lake.

The Chairman welcomed everyone to the meeting.

### **2. Police Matters**

A speed camera had been used at the eastern end of the village since the last meeting.

### **3. Minutes of the last Meeting and Exempt Minutes of the last Meeting**

The Minutes and Exempt 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 Billenness reported that the current PC web site would need to be replaced. The matter would be discussed under item 13, Accounts.

YLCA - Cllr Bowyer reported his attendance at the AGM, where he had voted on behalf of the PC. A matter of concern was regret that Parish Council representatives no longer had an automatic right to a seat on school governing bodies

58, PRD - the fence had been secured so no further action would be taken at this time

All Cllrs had now completed their Declaration of Interest forms and returned them to HBC

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

There were none other than items already on the agenda.

### **6. Village Hall**

Lease and Management arrangements - Cllr Lake had sent a report via the Clerk.

He had resigned as Vice-Chairman on the VHMC.

The draft Lease is circulating among members of the VHMC and user groups.

The Deed of Trust is being completed and Cllrs Lake and Billenness are to meet before the October meeting to finalise details.

The Constitution of the VHMC is to be updated, a model has been drafted, which, after comments from the VHMC, will come to the PC for comment.

Operational issues included drafting of a newsletter for circulation in the village.

The VHMC Treasurer reports that the trading position of the VH will be solvent during the coming year.

Cllr Billenness had passed on to an engineer for comment the suggestions from the YC about installation of CCTV at the VH.

Cllr Kennett agreed to provide to the Clerk some names and contact details of Valuers so that an accurate valuation for replacement purposes for insurance could be obtained.

## **7. Trees on Prince Rupert Drive**

In the grass verge adjacent to 21 PRD, a tree had been cut down and a stump of 18in. left, which was considered dangerous to pedestrians/cyclists who may not see it in the dark or when vehicles park on the verge. Resolved to write to NYCC to inform and ask that the stump be removed.

Westfield Green/Lucas Road - a letter had been received from a resident who was concerned that a large tree in the joint boundary hedge was under threat. Resolved that the Arboricultural Officer at HBC be informed and asked to intervene.

## **8. Westfield Lane ginnel**

Cllr Bowyer reported that he had been approached by a resident, who has a disabled son and who is greatly concerned about access difficulties in this location.

Photographs were produced to illustrate the problem of access with a wheelchair owing to the position of the safety barriers.

*Standing Orders were suspended.*

Mr Davies explained the history and difficulty in resolving the problems, particularly the removal of the barriers.

Also the Ash Tree is now very large and within 200mm of the edge of the footpath, which has risen 3 inches and has a broken surface, adding to the problems.

It was mentioned that the barriers are also difficult for buggies and prams.

*Standing Orders were resumed.*

The problem of the history of the ginnel, the ownership of which cannot be determined and therefore who has responsibility for maintenance was discussed.

Resolved that a letter be sent to NYCC asking that the barriers be removed and an alternative means be sought to prevent cyclists riding out into PRD from the ginnel, ensuring that disabled access is permitted through the ginnel and mentioning the problems of the tree roots, lifting of the surface and access difficulties for wheelchairs and buggies. The County Cllr was asked for his support.

## **Report by County Councillor**

Skewkirk Bridge - a planning application is due to be submitted soon and the legal matters sorted. A footbridge only is being applied for and there is concern that a bridleway is not to be provided.

School - the temporary classrooms are due to be replaced by permanent buildings

BCB - a site visit will take place on 22/10 and the Planning meeting on the 26/10. The Environmental Noise Assessment report was provided and the Clerk asked to copy it for the TRA.

Cllr Savage was thanked for chairing the Public Meeting.

Cllrs Billenness and Smith raised concerns following recent road re-surfacing in Cowthorpe. They were asked to let the County Cllr have the details.

## **6. Village Hall matters**

Mrs Steed reported that the conversion of the toilets to standards meeting the DDA was being re-jigged as the Under 5's were not happy at losing the 'sand and water' room.

## **10. Report by District Councillor**

Noise from the airfield - a second Abatement Notice had been served on the owner not the Company but the Environmental Health Officers did not have the power to remove the noise problems completely. The problems caused by model aircraft flying should be resolved.

Cllr Waller reported that he had contacted the Environment Agency about a smell of raw sewage in Kendal Lane. The Agency had sent Officers to investigate within a week but that was two months ago and nobody from HBC EH had yet inspected the site. The D Cllr was asked to follow up this matter.

Planning matters -

East House Farm and Land to East of East House - Cllr Sturdy had had to leave the planning meeting but the applications had been approved with all the conditions asked for by the Parish Council. The Chairman had contacted the Planning Officer with information about fire safety and velux windows as requested at the meeting.

Jodhpurs - negotiations are ongoing, no decision yet but Officers minded to refuse.

Cowthorpe road closure - Cllr Sturdy had received e mails from residents wanting to claim compensation. The Cllr was also aware of vehicles using the new bridge when no work was going on even though the road was supposed to be closed.

Cllr Sturdy was asked to find out how much of the Council Tax HBC pay to the Regional Assembly following recent reports of Local Authorities withdrawing from the Assembly.

Continuing problems of fly-tipping along Southfield Lane were reported. The Parish Council was asked to consider future signing in the passing places and possible rewards to catch the perpetrators.

## 12. Planning

Tockwith CE VC Primary School - proposed erection of a three classroom teaching extension - Cllrs Waller, Saunders and Billenness declared an interest and left the meeting during consideration of this matter.

NYCC had e mailed asking for information about the commercial uses of the current classrooms.

The PC supported the replacement of temporary classrooms with permanent buildings but wanted to ensure that the permanent classrooms were used for the benefit of school pupils.

The commercial use was stated to be a benefit to the community and was not exclusive for use other than as classrooms.

Resolved that the PC support the application having been assured this was the case.

Bracken House, Moorside - erection of single storey rear extension (revised scheme) - there were no objections to this application.

Cowthorpe - amended plans - outline application for demolition of existing dwellings and garages and erection of two dwellings - the PC did not object to replacement of the two buildings on the site frontage,

in keeping with the linear form of the village. Cllr Billenness regretted the loss of a community facility and wished it to be minuted that he believed that there had never been any conversion of the Parish Room to residential.

Resolved that the PC support the application as it would bring about a great improvement to the site and the village.

Unit 9, Centre Park - erection of single storey extension to existing unit -

Unit 19, Centre Park - erection of extension to existing industrial unit - Cllr Kennett declared an interest and left the room during the consideration of these applications. Cllr Billenness chaired the meeting for these items.

There were no objections to either of the above applications.

BCB application, Unit 87, Marston Moor Business Park -

A report was given about the Public Meeting held on site, at which representatives of the various agencies and 50-60 members of the public were present.

Cllrs were reminded to give public comments only as reported in Council Minutes when speaking about the application.

A full description of the proposals was given followed by input from Planning, Environmental Health, Environment Agency, and Highways Officers. Questions were taken from the public, points made and answers given.

The PC concern is that the conditions relating to the IPPC Licence should be imposed as conditions on any planning permission. This would be the only way the planning authority could retain control over operations at the site. This was said to be outwith the remit of the planning authority, which is not allowed to cover controls available under other legislation.

The Environment Agency had assured they would consult the PC if there were any MAJOR

changes to the IPPC Licence.

The Licence cannot be granted until planning permission is obtained.

The general feeling was believed to be that moving the operation indoors could only be an improvement and the proposals would give more control than over current operations at the existing site.

Cllr Bowyer reported that feedback he had received from residents mentioned grave concerns about operations both current and proposed because of the nature of the materials and the proposed rate of growth of the enterprise.

Cllr Billenness mentioned the Proximity Principle, regional transportation, the increase in vehicle movements on inadequate local roads, that handling of hazardous materials would entail a filtration system within the building and that all operations would be strictly controlled because of the Insurance requirements.

The Company said it had no intention of applying for a Hazardous Substance Handling Licence.

Resolved that the PC will look again at the responses made to NYCC and discuss at the November meeting whether to amend them; that Cllr Savage be asked to liaise with the Highway Authority and express the concerns of the PC about (i) the cumulative effect of the increase in traffic resulting from the proposals in addition to the other traffic using the Business Park,

(ii) the difficulties of large vehicles being able to pass each other along Rudgate and (iii) assurances that Highways Officers have visited the site and understand the problems.

Cllr Savage said he would attempt to get Rudgate traffic problems put on the agenda of the next Harrogate Area Committee.

Planning decisions and enforcement issues were made known.

## **11. Correspondence**

Items 42 to 57 were made known.

A1M - the Clerk reported telephone calls with the Engineer about the road closure through Cowthorpe

HBC Consultation meeting with PC's - Cllrs to inform the Clerk if they are able to attend

Hammerton Mill Sandbed - the Clerk reported latest developments, the matter is to be discussed at the next Harrogate Area Committee, Mr Muir to represent the PC. Further submissions had been made in response to the NYCC Legal Officer's report which contained inaccuracies and Cllrs were being asked to make an uninformed decision as they are not aware of the background to the matter.

HBC Village Safety Schemes - Cllr Smith agreed to take the papers and look at possible schemes for Cowthorpe. It was regretted that the time to produce fully funded proposals was so short.

NYCC Community Development Fund information to be passed to the VHMC

### 13. Accounts

#### Bank balances

Lloyds Bank Treasurer's a/c (as at 30.08.04) 3,606.48

Lloyds TSB Business a/c 12,666.92

#### Accounts to pay/ratify

Zurich Insurance - annual premium 963.27

Ware & Kay - legal fees 785.25

R Farrer - grounds maintenance 281.00

Mazars - external audit 141.00

Mrs G Firth - salary & expenses 710.42

(aq) Ltd - web forwarding 11.75

Marston Road Play Area Annual Inspection - resolved that a RoSPA Inspection and Risk Assessment be authorised as suggested by HBC and for Insurance purposes.

Council web site - Cllr Billenness explained the difficulties and the need to make alternative arrangements. Resolved that the Clerk provide to Cllr Billenness information about possible free web facilities for PC's and, if not possible, authority be given to spend up to £50 to obtain a new site.

The Clerk was instructed to obtain quotations for replacement of all three Parish Noticeboards, with the main one requiring emergency repair in the short term.

#### Receipts

HBC - POS maintenance grant 731.00

VHMC - reimbursement 40.00

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

Date of next Meeting: WEDNESDAY 20th OCTOBER 2004 at 7.30 pm

The Chairman thanked everyone for attending and declared the meeting closed.

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

Cllr Saunders, in his role as Chairman of the Residents' Association, gave a resume of the joint meeting of the Association and the Council Working Group. The TRA had retained the services

of Elizabeth Simmonds who had been invited, as an expert in the field of Waste Management.

Concern was expressed on the following grounds:

Not enough information was supplied with the Environmental Statement accompanying the application information supplied was not totally accurate there was no knowledge of the Operating Licence for the current business operation no independent assessment of the Environmental Statement/impact was available no Emergency Plan was included.

A letter had been sent to NYCC requesting more information on which to base an informed response.

The Clerk had written an interim letter of objection, also requesting an extension to the time allowed for responses.

The Clerk was asked to write to the Chief Fire Officer, asking if he had been consulted and wished to comment on the application.

The County Cllr provided a letter from the Planning Officer, which included the response from the applicant with respect to the Parish Council's letter.

The Environment Agency had consulted the County Council on receipt of an application for a permit under the Pollution Prevention and Control regulations 2000.

Resolved that the Clerk write to NYCC again, answering the points in the applicant's letter and saying that: - No Emergency Plan appeared to have been provided in case of accidents; the chemicals to be recycled were believed to be very toxic and the prevailing winds would mean any fumes or smells would be carried to the PRD Estate; other tenants on the Business Park were considering relocating if the application went ahead; traffic implications must be addressed by the Highway Authority, both now and in the future if the application is permitted and the business allowed to increase by 50% year on year over 5 years; and asking for a copy of the Pollution Prevention and Control information.

The Clerk was asked to write and invite BCB Environmental Management Ltd., to attend the April Parish Meeting to present their case, provide a display and be prepared to answer questions about the application.

Resolved that the Parish Council will consider a contribution towards the consultant's fees once they are known. Cllr Saunders declared an Interest and did not vote.

The TRA would be circulating the village and the Business Park with leaflets advising of the application.

Resolved that the Chairman can give the Council's comments forcefully if approached by the Press.