

TOCKWITH WITH WILSTROP PARISH COUNCIL

Minutes of a Council meeting held on Wednesday 17th June 2009 in Tockwith Church

Chairman: Councillor C Saunders JP

Present: Councillors Mrs Scholey, Mrs Wardman, C Billenness, N Alliot, M Algar, S Trenchard, P Pick

In attendance: Mrs G Firth (Clerk to the Council), 6 members of the public

The Chairman welcomed everyone to the June Council meeting.

1. Apologies for absence – were received from Cllrs Waller, (holiday), Ward-Campbell (illness), Mrs Unsworth (VHMC Chairman), Inspector Chapman, PC Haydon and District/County Cllr Savage.

2. Declarations of Interest – Cllrs Billenness, Algar and Saunders declared a prejudicial interest in discussions concerning the Tockwith Residents' Association (TRA), as they are all TRA committee members.

3. Minutes and Exempt Minutes of the last Ordinary Meeting held on 20th May Minutes of the Annual Meeting of the Parish Council T

he Minutes, as detailed above, having been circulated and taken as read, were agreed as a true record and signed by the Chairman.

Minutes of an Extra-Ordinary Meeting of the Council held on 28th May.

The Minutes having been circulated and taken as read were amended under attendance to state that, although 45 members of the public were present at the start of the meeting, this number increased to 63 during the meeting. The Minutes were then agreed as a true record and signed by the Chairman.

4. Matters arising from the Minutes/business remaining from the last meeting

1) Marston Road Play Area – letters of thanks to those who had worked on repairs to the building causing problems had been very much appreciated.

2) High hedges/trees to rear of Rose Cottage, Westfield Road – Cllr Mrs Wardman had spoken to the owner of Rose Cottage, which is shortly to be let. The owner had stated that works to the trees are in the pipeline and he hoped to speak to neighbours in Norfolk Gardens soon.

The Chairman moved that item 5 be brought forward to allow the Public to speak at this time and that consideration be given to moving this item to an earlier point on agendas for future meetings. Cllrs resolved to accept this motion.

5. Public Questions or Statements Standing Orders were suspended.

A resident wanted the Parish Council to put pressure on the Local Authority regarding the BCB Licence. Following the recent fire incident there was great concern from the public about the way BCB was operating. The fact that the skip which caught fire was in a hangar containing unknown amounts of other chemicals gave cause for concern that Health and Safety Rules were being flouted. Residents believed the BCB operation was wholly inappropriate for the location.

Standing Orders were resumed.

4. Matters arising – continued

i) Press Releases, Standing Orders relating to Press Releases and Urgent items of business The Chairman and Clerk spoke of advice received from Harrogate Borough Council and the Yorkshire Local Councils Associations about these matters:- “Press releases are an executive decision and should be delegated to the Proper Officer (Clerk) and the normal business of a meeting should be followed as per the agenda. If a PC wishes to produce a press release, it will be a decision of the Council as a whole and it should be the Clerk to the Council, who is responsible for administrative duties in any event, who will produce the press release.

In the case of this Council’s recent Press Release, it was probably OK as it could be considered as an additional decision, ancillary to the main decision to object to the planning application but the format was unsatisfactory.

It should not be necessary for PC’s to issue press releases as a general rule. If the Council wishes to issue press releases, there should be a policy or standing order to refer to. It would be useful as it would provide clarification for Cllrs and Clerk as to who will be responsible for what.

The Government issued a Code of Recommended Practice on Local Authority Publicity: “authorities should not mount publicity campaigns where the primary purpose is to persuade the public to hold a particular view in relation to petitions generally or on a specific proposal.”

Any press release should contain the name of the Council, have a contact, state whether the information is for immediate release or is embargoed until a certain date, main title and then at the end, separated from the main body of the text, some background information to the matter and full contact details if the press need further information.

In general, in considering the subject areas in which publicity is to be issued, the following matters will be important:-

i) the publicity should be relevant to the functions of the authority

ii) it should not duplicate unnecessarily publicity produced by central government, another local authority or another public authority

iii) in areas where central government, another tier of local government or another public authority have the primary service or policy responsibility, local authorities should issue publicity only on matters that are directly relevant to their own functions.

A press release should contain the four W’s – Why, where, what and when. A press release concerning a planning issue should contain the application number, case officer details, details of the proposals, how to make comments and where to send them i.e. address of the planning authority to which responses should be sent and the deadline for responses. Additional information could include where to find details of the application and where more information can be found.”

Urgent items of business “The way to deal with urgent items of business is to use Section 101 of the Local Government Act 1972 to delegate decision making to the Proper Officer (Clerk).”

“After meeting notices are published, details of matters to be discussed will have been notified/specified to the public. Public participation (attendance) would be prevented if additional items only came up at the meeting. In cases of raising ‘urgent’ matters, the Chairman has to agree the urgency of the item, it must be minuted and the Council able to justify the urgency.”

A thorough debate followed. Cllrs agreed the need for a policy on press releases, although caution was urged that press releases should be strictly controlled as there is always leeway for

the press to edit items sent to them so that the press report may not be wording as agreed by the Council. Some Cllrs felt there was a need for and a duty to communicate with the public quickly, as things happen. It was stated that, if the press are interested in items on the agenda, they would attend the meetings and report for themselves. Some Cllrs felt there was a need for a general communication strategy - parish magazines, newsletters, a formal blog and facebook were suggestions made. Some Cllrs felt too much publicity could allow a wider forum for bodies in opposition to Council wishes, and Cllrs did not feel easy making policy 'on the hoof' as this created too much pressure.

Resolved that the matter be an agenda item at the July meeting and that the Clerk produce a draft standing order/policy regarding press releases before the next meeting, when a decision can be made on whether to adopt such a policy.

ii) Village Hall – Structural Surveyor’s Report Delegated authority was given to the Clerk to arrange for the remedial works necessary to the main building and boundary wall, which had been recommended by the Surveyor, to be done.

iii) Marston Road Play Area Resolved that any minor remedial works recommended in the last RoSPA Report be held over until the next Inspection, due in September, following which any recommended works could be instigated.

iv) Relationship between the Parish Council and the Residents’ Association Cllrs Billenness, Algar and Saunders declared a personal and prejudicial interest in this item. Some Cllrs stated that, as there are TRA members on the PC, they are well represented and all Cllrs work together towards the same goals. It was difficult to understand why a sense of 'us' and 'them' was believed to exist. The TRA had come into existence in the first place as it was able to do things which the PC is not allowed to do, as the PC operates under standing orders, is constrained as to expenditure and cannot act quickly enough. The TRA appears when 'bad-neighbour' developments are proposed and is supported by the PC, which has to deal with all issues facing the parish and not only a single development proposal. It was very much regretted that, due to misunderstandings of the role of the PC, a 'sour' relationship had developed.

TRA members, who are also Cllrs, were asked to state just what they expected the PC to do.

It would be extremely difficult to change public perception but Cllrs had to remember they should act as a corporate body or as a private individual, when this was made plain that they were acting in a personal capacity.

A suggestion was made that a report from the TRA was brought to every PC meeting. Resolved that this become an agenda item for future meetings.

The TRA aims to get more people to object than last time, more people to attend the meetings of the Planning Authority and to employ specialists to report on the planning case contained in the application. It was stated that the decision of HBC, as a consultee, is delegated to Officers.

Resolved that the PC request the BCB planning application be heard at a meeting of the Planning Committee, so that a decision could be made by elected Cllrs.

v) Agenda - order of business Resolved that Public Questions/Statements be moved to item 3 on the agenda in future meetings, as long as there is provision to suspend standing orders to allow public input into other agenda items that arise.

6. Report from the Clerk

Charity Commission – the Clerk had received the Vesting Order papers and sent them to the Solicitor, who would be dealing with the Land Registry. Final completion is awaited.

Note from ex-leader of the Youth Club – Cllrs expressed concern at the contents and the Health and Safety and Insurance issues raised. The Clerk was asked to contact the 4Youth Service for comment and copy the note to Cllr Savage to pass on to the Director at NYCC, who may be unaware. The VHMC will be including a few words in the next newsletter to make local parents aware of the true state of affairs. It was suggested a similar insert could be put in the parish magazine.

Grounds maintenance – A new contractor has been appointed and had started work this week. The areas are looking much tidier.

Yorventure – the VHMC had asked for a letter of support from the PC to go with the grant application. This was approved.

7. Police matters In the absence of a Police Officer the Clerk read out a report from PC Haydon. “Crimes are down since last month. 1. Vehicle parts were stolen at the Business Park; 2. Reported on 13/6 was theft of an old style Land Rover from Marston Road. This is a particular crime which seems to come round regularly and would draw it to the attention of your parish. They are a sort of vehicle for selling on either as whole or parts. The older Land Rovers are the most popular i.e. 110 or 90 models. Owners should take all precautions when leaving them unattended ... there are criminals out there who are looking for these vehicles all the time and naturally most are found in the rural areas.”

Cllrs reported the following: Cllr Algar had attended the recent CaP meeting. There was still no Chairman but someone had volunteered as Vice-Chairman if a Chairman could be found. It had been debated whether to hold the next meeting or not. It was agreed to hold the meeting in September. Parish Councils were asked to bring forward items of concern. Cllr Algar had mentioned the drug smoking in cars on Southfield Lane. The Police cannot stop this unless accidents are caused by being under the influence.

The Parish Notice Board at Wilstrop had been broken. This had occurred at the time the Railway contractors were moving large items of plant. Resolved that the invoice for repair be sent to the contractors for reimbursement.

Windows had been smashed at the weighbridge

Reports had been received of vandalism/anti-social behaviour on Prince Rupert Drive at either side of the ginnel. Resolved to report this to the Police, officially, as, although the Police had visited, there was allegedly insufficient evidence to prosecute the offender. Resolved also that letters be sent to Scouts, Youth Club and School to try to get peer pressure put on the offender.

8. Village Hall

The Clerk gave a brief report on the newsletter and forthcoming fund raising activities.

9. Report by County Councillor Savage 10. Report from District Councillor Savage

In the absence of Cllr Savage there were no reports.

Cllrs wished to congratulate Cllr Savage on his re-election to NYCC and his appointment as Leader/Chairman of the County Council for the coming year.

Resolved that item 12 be brought forward.

12. Planning including standing item: BCB application

BCB fire It was stated that BCB had given assurances, when the original waste transfer station

application was approved, that “adequate fire precautions” would be in place. That application had been approved subject to IPPC regulations being complied with and other conditions concerning traffic movements and hours of operation. Following the recent incident it was considered that fire precautions were not adequate. The fire last year had occurred when people were working at the premises but the latest incident occurred when there was nobody on site; a key-holder for the premises was not immediately available; there was no sprinkler system in the building; there was no list of the type of chemicals stored in the building; there was not enough water or water pressure on the Business Park and the Fire Service had to use a hydrant at Cattal cross-roads to fill the bowsers;

Resolved that a strong letter be sent to Planning Enforcement at NYCC, asking that an investigation be carried out and if adequate fire precautions are not in place the current operation should be suspended until such measures are in place.

Resolved also that the Council contact the assessors who are responsible for ISO Environmental Accreditation and request that a short notice audit be carried out.

Resolved that a letter be sent to the TRA acknowledging the work they are doing, looking forward to fostering a good relationship between the TRA and the PC and hoping to receive regular reports in the future to aid the joint working and communication between the two bodies.

The PC would need to discuss the strategy to be employed in the future and when attending planning meetings at which the decision would be made on the application.

Applications

3, Norfolk Gardens – erection of single storey front extension. *Having done neighbour notification, the Council had no objections to this application.*

Tockwith Lodge Farm, Fleet Lane – conversion of barn to form holiday accommodation and conversion of storage building to form additional living accommodation with erection of single storey side extension. *Subject to neighbour comments the Council had no objection to this application.*

Decisions – approved subject to conditions

The Lodge, 61, Westfield Road – Listed building application for conversion of outbuilding to office and holiday let with external alterations to include replacement doors and windows, installation of 4 roof lights to west elevation and 2 roof lights to east elevation, internal alterations to include new walls and doors.

The Lodge, 61, Westfield Road – conversion of outbuilding to form office and holiday let.

11. Correspondence

Items 29 to 31 and additional e mails, planning applications and decisions were made known to Cllrs.

- Field hedge removal request – the Clerk had contacted HBC and passed the details on to the landowner of where to apply to for the hedge removal
- Himalayan Balsam – the Clerk had contacted the Conservation Society, ACS, and was awaiting details of dates when joint working parties could be arranged to deal with this.
- Le Mans 24 hour race – resolved that a letter be sent to Nigel Moore, a local young man, applauding his efforts in entering the race

Other items of correspondence had been dealt with under agenda items for the meeting.

13. Accounts

Bank balances (as at 28/05/09)

Lloyds TSB current a/c 2,500.00

Lloyds TSB Deposit a/c 10,924.76

A/c's to pay/ratify

Tockwith Church (hire for EO PC Meeting) 25.00

Work to Village Hall building and boundary wall – resolved to delegate authority to the Clerk to arrange for this work to be done.

Grant application from 1st Marston Moor Scouts – the Clerk to reply and say that all money budgeted for grants has been allocated this year. The Scouts, who do good work and are supported by the PC, were to be encouraged to apply for a grant for next year before the November meeting of the Council at which the budget for next year would be set.

Grant application by DISC – the Clerk to reply and explain about budgeted grant money having been allocated this year and whilst the PC sympathise with the aims of DISC the PC has its own campaign to fight at the moment.

Outstanding accounts

Annual central heating maintenance – to be arranged for September before the winter weather starts. Remedial repairs to be arranged in the meantime.

Professional fees – once VH work completed.

Annual grounds maintenance in the parish – a new contractor has been employed and invoices will be received in September 2009 and March 2010.

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

14. Date of next Meeting: WEDNESDAY 15th JULY 2009 at 7.30pm in Tockwith Church.

It was resolved that a copy of Standing Orders and Financial Regulations be placed on the web site.

There being no further business to discuss, the Chairman thanked everyone for attending and declared the meeting closed.