

## TOCKWITH WITH WILSTROP PARISH COUNCIL

### Minutes of an Extra-Ordinary Meeting of Tockwith with Wilstrop Parish Council held on Thursday 28th May 2009 in Tockwith Church

**Chairman:** Councillor C Saunders JP

**Present:** Councillors N Waller, Mrs Wardman, Mrs Scholey, R Ward-Campbell, N Alliot, S Trenchard, M Algar, P Pick, C Billenness

**In attendance:** County/District Cllr Savage, Mrs G Firth (Clerk to the Council), Chairman and Cllr from Bilton with Bickerton Parish Council, 45 members of the public.

The Chairman welcomed everyone to the extra-ordinary meeting of the Parish Council. He stated the purpose of the meeting was for Cllrs to decide upon a response to the Planning Authority (NYCC), concerning the BCB application.

**Apologies for absence** – there were none.

**Declarations of Interest** – Cllrs Saunders, Billenness and Algar declared personal interests as committee members of the Residents' Association.

### **3. Planning Application,**

**NY/2009/0176/FUL by BCB Environmental Management Ltd. at Unit 86, Marston Moor Business Park, Tockwith (HBC planning ref: 09/02020/CMA, 6.124.294.B.CMA Case Officer Mr R N Watson)** *Demolition of existing warehouse and erection of energy from waste facility with associated air cooled condensers and chimney stack, provision of new weighbridge, drum store, electricity sub-station, new means of enclosure and access gates, car parking and landscaping.*

After introducing the item the Chairman explained the procedure to be followed. Cllrs would be invited to give their views, then Standing Orders would be suspended to allow members of the public to speak for a total of three minutes maximum each, they were asked not to repeat views already expressed. When all members of the public who wished to speak had spoken, Standing Orders would be resumed and Cllrs would be asked to make a decision on the response to the Planning Authority, in this case North Yorkshire County Council.

Cllrs spoke to the item and mentioned the following:

- This application differs from the previous one as it involves an energy from waste incinerator burning hazardous, municipal and commercial waste which falls outside NYCC Policy
- There is no provision in the Minerals and Waste Plan for such a facility
- The application should be refused as the location is not identified or approved by NYCC
- The processes involved are just as polluting as in the previous application
- The large number of vehicle movements associated with the proposals will only increase emissions
- The prevailing winds are from the south west so emissions would fall across the village and there are a lot of inversions in our area so the 100ft high chimney in a flat landscape could not be guaranteed to clear all the pollution
- Operational data has not changed, although different technology would be used so the visual impact would be bad
- The whole application is considered worse than last time
- The siting is considered inappropriate with an unacceptable environmental impact
- Smells and noise would be a problem as would the overall impact on the area
- There would be an increase in traffic away from the major road network

- Landscaping is limited and would takes years to mature
- Energy from Waste is a current buzz phrase but there is nothing in the application to prove how this would work or how district heating or electricity would be provided or even whether it would be financially viable
- Because hazardous waste would be burnt, there is still concern about ash and other residues being produced and emissions being of potential harm to health
- Residential amenity would be harmed
- There would be an unacceptable impact on neighbouring businesses on the Business Park
- The height of the chimney and the plume of waste gases would be certain to impact on the Conservation Area
- The majority of waste to be disposed of would come from outside the area
- 24/7 working is not acceptable with increase of noise and disturbance
- There would be no significant help in the 'waste hierarchy' and recycling would not be encouraged
- The claims of 'benefits' are used as tools to gain support
- The Public Consultation was poor, with restricted hours on only two evenings
- The proposals do not accord with the proximity principle
- There would be an extra 92 HGV journeys along Rudgate
- Onward disposal facilities are limited
- It is not feasible to suggest all working would take place inside a building with doors closed
- A crane operator would be relied on to 'turn' waste every hour to prevent smells occurring
- There could be an increase in vermin in the locality
- All drainage run-off would end up in Fleet Beck
- The condenser fans use new technology, manufacturers guidelines have been quoted rather than previous experience of use and operation
- The facility would be only 1000m from the local Primary School and only 400m from houses
- The plans are considered totally inappropriate for a rural village
- Rudgate is dangerous for cyclists now with the edges eroded, the road is certainly not suitable for even more HGV's
- Pollution will fall on surrounding agricultural land, the cumulative effect of this cannot be known

Standing Orders were suspended.

Points raised were as follows:

- B/B PC is not a primary consultee but has had a dialogue with the TRA. It opposes the application and is funding the TRA to fight the application in specific areas, such as preliminary consultation on highways and traffic impact issues.
- The issue is not specific to Tockwith as it would impact on the surrounding area
- The TRA would like the Parish Council to commission a consultant to scope various issues, £300 would have to be spent on consultation to prove viability of the case on environmental grounds
- The Countryside Alliance has suggested a media blitz to get the case across to the public
- The TRA is putting in a huge effort, with news-drops around the village and Business Parks, they need help to encourage people to write and oppose the application
- Confidence in and credibility of the people involved was questioned
- The process proposed is less efficient and would give off more hazardous toxins
- The chimney would have to be at least 50m high to disperse toxins under standard operating conditions, and a minimum of 35m high
- The process could not be considered 'environmentally friendly'

Standing Orders were resumed.

The Chairman read out the reasons for the PC's objection to the previous application. It was proposed that the PC strongly object to the application on all previous grounds with the added concerns that the proposals are not in accord with NYCC Policy and Strategy. The proposal was

resolved unanimously.

Copies of the letter of objection to be sent to other consultees, the MP, Cllr Savage, The Environment Agency, Harrogate Borough Council, Marston Moor Internal Drainage Board, local Parish Councils and Tockwith Residents' Association.

On 13th June the TRA is organising a 31m high column of helium balloons on an adjacent site at the Business Park to show the effect of the proposed chimney stack. All are invited to attend at The Green to witness this. All local residents are encouraged to write individual letters of objection as the weight of public opinion will carry the day.

Comments were made about the apparent split between the PC and the TRA.

Standing Orders were suspended.

The TRA Chairman said he didn't feel the TRA was getting help from the PC and the perception was that more open communication between both parties was wanted. He felt the TRA was fighting a lone battle. The PC Chairman said that TRA members as well as the general public are welcome to attend monthly PC meetings. TRA members make up more than half the number of Councillors on the PC, with three Cllrs being committee members on the TRA. As well as attendance at PC meetings interested persons can view the PC website for all minutes of proceedings. The PC has articles in the Parish News and Niddside news. Residents can speak to their local Cllrs about their concerns and get feedback that way. Notices of all meetings are published on four noticeboards around the parish.

Suggestions were made about the PC leafleting the village and surrounding area to advise residents of what is happening. The TRA has already done this so it was considered a duplication of effort. A resident said he could not believe the majority of residents did not know what is going on nor is a lack of information/publicity responsible for the apathy of residents. If people feel strongly enough they will object. It was suggested the PC might meet more frequently so as to be able to act quicker. It was suggested somebody should report to the public on PC meetings.

Standing Orders were resumed.

Cllr Billenness read out a Press Release he proposed be sent to the local media after tonight's meeting. Resolved by a vote of 8:1 that the Press Release be authorised as an urgent item of business arising at the meeting. The Press Release to include the details of the application and the closing date for submission of objections. [Cllr Mrs Wardman voted against as she believed the PC has to stick to protocol and Standing Orders.] Cllr Billenness agreed to make the content of the Press Release available to the Clerk for inclusion in the Minutes. Cllr Trenchard said he would be speaking to Harry Gration shortly and he would make him aware of the concern about the proposals. It was suggested neighbourhood watch co-ordinators, who cover all areas of the village, could make their own residents aware of the proposals and the deadline for objections. It was suggested a template would be useful to encourage more objectors to write, but it was answered that several similar letters would not carry the same weight as the same number of individual responses.

*Press Release for immediate use: Tockwith Parish Council have tonight resolved to submit their objections to the new proposal by BCB to construct a waste incinerator just outside the village. At a packed meeting in the local Church, Cllrs and local residents expressed concern about the health risks of burning thousands of tons of waste, some of it hazardous, less than 500 metres from nearby housing and less than 1000 metres from the local primary school. Bilton and Bickerton Parish Council were represented at the meeting and have also pledged support to both Tockwith Parish Council and the Tockwith Residents' Association in engaging consultants to examine all aspects of the application. Parish Cllrs also urged local residents and businesses, as well as people in the surrounding area, to lodge their own objections with NorthYorkshireCounty*

*Council (who will deal with the application) as soon as possible.*

Letter from WARDEN about supporting the PC - resolved that the Clerk reply and ask WARDEN to send a letter of objection.

It was asked who would co-ordinate the opposition to the proposals now the PC has resolved to object to the planning application.

It was also mentioned that Section 137 of the Local Government Act allows Parish Councils to spend up to £6.15 per elector for the benefit of the community.

The Clerk replied on the issue of Section 137 expenditure. Parish Councils' expenditure is proscribed by law and PC's have to submit an annual budget in order to claim a precept. The budget for this year contains an amount of £3,000 in total to be spent on grants. The largest grant allocated this year is to the TRA, to be spent on items related to the fight against the BCB proposals. Indeed, some local organisations have had their grants reduced or not given at all to accommodate the grant to the TRA. Cllrs all have an input into budget proposals and if a sum equal to the Section 137 limit was budgeted for, the Precept and therefore the Council tax would rise for residents. That is a decision for Cllrs to make.

**Date of next meeting: Wednesday 17th June in the Church at 7.30pm**

There being no further business to discuss the Chairman declared the meeting closed.