

## **TOCKWITH WITH WILSTROP PARISH COUNCIL**

### **Minutes of a Council meeting held on Wednesday 17th March 2010 in Tockwith Church**

**Chairman:** Councillor N Waller

**Present:** Councillors R Ward-Campbell, P Pick, Mrs L Chasney, S Harrison, C Billenness, M Algar, Mrs J Wardman (late arrival, N Allott (late arrival)

**In attendance:** Cllr Savage (District/County Cllr)(late arrival) Mrs G Firth (Clerk to the Council), 5 members of the public

The Chairman welcomed everyone to the March Council meeting.

**Apologies for absence** – were received from Cllrs Saunders, (holiday), PC Haydon, Mrs Unsworth (VHMC).

**2. Declarations of Interest** – none

### **3. Public Questions or Statements**

Standing Orders were suspended.

- A resident asked whether a reply had been received from TLDP regarding the letter sent to HBC about activities on the airfield. The interim reply would be discussed under agenda item 16, correspondence
- A representative of the Tennis and Bowls Clubs asked about any decisions on the use of commuted sums and expressed disappointment that the allocation of such sums would be via the Sportsfield Trust Committee, as other than Football Clubs did not feel their concerns were being addressed. This would be discussed under agenda item 13

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Standing orders were resumed.

Cllr Billenness stated that he would be attending a meeting of the Sportsfield Trust Committee next week, as the PC representative and would make sure that action was taken in the interests of all members.

### **4. Minutes of the last meeting**

The Minutes of the last meeting, having been circulated were taken as read. Cllr Billenness lodged a long series of objections to the contents of the draft Minutes of the February PC meeting and read out a detailed note expressing deep concerns. After discussion, the objections were taken in order and the Council resolved, by a majority vote of 5:1, to amend the Minutes as follows:

- on page 2, bottom line – to use the word ‘committed’ not ‘spent’;
- page 3, first paragraph - Cllr Billenness rejected the advice that these reasons were sufficiently robust as to require no further re-inforcement by another party nor the submission of additional objections.
- Page 3 – He would be ashamed if the PC did not actively engage in representing its community at the Appeal and relied solely on NYCC to defend the case at Appeal.
- Some Cllrs questioned - to be followed by bullet points of other issues raised

After a request under Standing Order 10 for Cllrs to be named, the result was - For the motion: Cllrs Waller, Pick, Ward-Campbell, Billenness and Harrison, Against the motion: Cllr Mrs Wardman. The Minutes were agreed as a correct record, subject to the above amendments and were signed by the meeting Chairman. A reworded set of Minutes, incorporating all the

amendments, will be presented to the April meeting for approval.

#### **5. Matters arising from the Minutes/business remaining from the last meeting**

(i) Agreement with Scout Group for use of Community Field - The Clerk had received a signed copy of the Agreement.

(ii) Deadline for correspondence with the Clerk on the day of meetings – the Clerk requested that, if Cllrs wished to give apologies or submit queries via e mail, these should be received by no later than 4pm on the day of the meeting. Telephone calls would be received after this time but only up to 6pm.

#### **6. Report from the TRA**

Cllr Algar stated that most items to be reported would be covered under agenda item 12. The TRA current Chairman, Paddy Gastrell, would be standing down. Cllr Billenness added to the report by saying that the TRA is applying for charitable status. He explained the process to Cllrs.

#### **7. Report from the Clerk**

i) confirmation had been sought from NYCC of Planning Appeal/Public Inquiry procedure and the role NYCC would take in any Appeal. This was made known to Cllrs.

ii) Noticeboards – the Clerk had done further research on this issue and had found a board with a better specification and at a cheaper cost than that agreed at the last meeting. She was given authority to proceed on this basis.

iii) Village Hall – the Clerk had dealt with several recent problems at the VH, including blocked drains; water pressure being low resulting in the CH and hot water system not working; and lighting in the Ladies toilets had needed replacing as the fittings were not able to be repaired as they were so old. The builders hope to start next week on re-roofing the building and scaffolding will be erected on Thursday of this week. This will result in temporary disruption and the car park at the front will not be able to be used whilst skips are in place.

iv) Report back from meeting which Chairman had attended, along with B/B PC Chairman, Vice-Chairman and Clerk, with Planning Officer at HBC regarding JSL operations at Minster Hag. It was accepted, reluctantly, that nothing further could be done about planning permissions granted but Enforcement action was ongoing.

v) The Clerk gave a resume of contacts with TLDP and the lack of action to date. Information was requested for tonight's meeting and an e mail had been received to put before Cllrs.

vi) The Clerk reminded all Clls who are representatives on outside bodies that reports would be required for the Annual Parish Meeting which would precede the April PC meeting.

#### **8. Police matters** In the absence of PC Haydon the Clerk read out an emailed report.

- I can report that there are no crimes for the Parish since the last meeting.
- I have been able to visit Cowthorpe village this month with the speed gun. Three drivers were cautioned for speeding between 35-38mph and one fixed penalty notice given for not wearing a seatbelt. This action will be ongoing over the next few months to see if it has any effect.
- I'm still making enquiries into the flytipping and have enough evidence now to interview the possible driver. I have tried to get HBC involved but they don't have a Policy in place to deal with such matters "yet". I am hoping that I will be able to resolve the matter by the end of next week.

Cllrs raised issues under this agenda item:

i) Wilstrop/A59 issues - Cllrs considered it unfortunate that the reply from the Police Traffic Officer referred only to injury accidents but did not take account of the number of incidents. It was considered an advisory sign either side of the 'dip' was required. After debate it was resolved that the Clerk replied to the Traffic Officer stating that the PC disagreed with his observations and there were more accidents than were admitted. As the Officer did not agree with 'raising the road' to level out the 'dip' and improve sight lines, he was to be asked what measures he would suggest to improve road safety in this location.

ii) PC Haydon was to be thanked for his visit to Cowthorpe, the results of which appeared to be positive.

Cllr Alliott arrived at this time.

## **9. Village Hall**

In the absence of the Chairman and Vice-Chairman the Clerk, as a member of the VHMC, gave a brief report:-

- A Health and Safety Inspection had been carried out at the VH. The result was very satisfactory and the Inspector was very complimentary, with only tips and hints to be passed on to the VH cleaner. The Inspector had praised the working relationship between the VHMC and the PC and said it was refreshing to see such joint working, which is evidently quite rare.
- A problem has been noticed in the Main Hall with the floor. There is sinking of the floorboards at the central joint resulting in a slight 'lip' which, if it got worse, could become a trip hazard.
- The Business Plan for the next few years is being prepared. The PC should be aware that the building will require re-wiring at some point, disabled access will have to be provided and the windows will need repair/replacement in the future.
- Problems with the newly fitted acoustic door have been addressed and the door re-hung.
- Furniture for the back room has been delivered and works to remove and replace the back partition wall have been authorised. This will enable a larger storage cupboard to be formed and, hopefully then, a small meeting room with whiteboard and new furniture will be available for hire.
- Fund raising continues and the next event will be another Interactive Quiz, to take place on Sunday 21st March at 7pm, to which everybody is invited.
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## **12. Report back from Working Party – BCB possible Appeal**

Cllr Billenness reported on a meeting held with the TRA to form a better understanding of the way forward. The TRA had organised an Open Meeting, hosted at Tockwith School. A lot of letters had been sent out to local PC's, Wetherby Town Council and other interested parties. Tockwith Cllrs were thanked for attending and speaking. Although nothing can happen yet, attendees were asked if they wished to be part of a Rule 6 objection at Appeal; if they understood the need to employ consultants to represent them at an Appeal; if they were prepared to bear the costs of such representation; and prepared to fund raise to pay for such action. Cllr Savage had attended and reported from NYCC that BCB had not talked to NYCC, which would go against them at Appeal. It was suggested that moral and financial support would be required for a 6 6 objection to be made. Cllr Waller spoke of the importance of all electors being prepared to spend money to support an objection at Appeal, as the village would become a 'ghost village' if BCB were to be successful. It was stated that attendees were being asked to indicate a commitment to funding an objection at Appeal and made clear the need for money before a commitment could be made to fighting an Appeal. The meeting had been useful and a further review meeting of the working party will be held next week.

Cllrs asked if indicative costs of employing consultants were known - £30,000 had been given as possible starting costs needed to fight an Appeal.

It was questioned whether business neighbours on the Business Park had been informed – the answer was yes.

It was asked what the working party's next moves would be - these would be to review, consolidate and disseminate information widely before any decisions were made.

Cllrs Savage arrived at this time.

### **10. and 11. Report by County/District Councillor Savage**

- BCB possible Appeal - Cllr Savage was to attend a meeting with Evans Easyspace/Ted Pope, after TP's meeting with Angela James (The Moore Foundation)
- DISC – following the incident of beer being poured over the head of the MP at the last meeting, invitations would be sent to all neighbouring PC's to attend a meeting hosted by Dr Rolph on 18th May. This would discuss North Yorkshire's Waste Development Plan with reference to the proposed Allerton incinerator.
- Skewkirk Bridge – an update was given, with reference to the letter to NYCC from The Ramblers' Association. A response from NYCC regarding the application by the British Horse Society could be expected by May/June.
- Tockwith airfield – noise etc – all emails are being forwarded to the Chief Executive and Cabinet Members at HBC. The Health & Safety Executive has had no direct communication with HBC Planning Officers.
- Tomlinsons – Animalcare Group – Cllr Savage had visited the Masham base of the Company. The meeting at Tomlinsons had been very informative and useful. HBC would be demanding strict noise conditions on any permission granted at this site.
- Trains – Cllr Savage explained the purpose of the Motion to Council, (HBC), which he had supported. As 40% of all conference delegates in Harrogate arrived by train and there are only 3 direct bus services per day, it was the hope that the services from York/Leeds to Harrogate would be upgraded. Network Rail says it cannot afford to upgrade the line but pressure is being applied for them to do so.
- Dog bins – the problem is not in getting the bins but siting would have to be agreed and emptying would have to be done by other than HBC.

Standing Orders were suspended.

A resident spoke of his concern that some dog walkers were bagging dog mess but then throwing it in the hedge bottoms or up into trees along the country lanes, rather than placing it in bins provided or taking it home to dispose of later.

Standing Orders were resumed.

Cllr Savage spoke about the possibility of local liaison meetings with the Police, a matter which had been raised at B/B PC Meeting. The Clerk was asked to liaise with B/B PC Clerk about this.

Cllr Savage was asked if there was any update on the matter of Business Rate Relief for the Sportsfield Trust and works needed at Kendal Gardens to the footpaths. Cllr Savage said that he is following up both matters and they are under review.

Cllr Mrs Chasney spoke about the concerns of Wilstrop residents regarding the Wilstrop siding. This is approached across private land and residents have issues with possible electrification of the line and de-manning of the crossing points. She asked to be kept informed of progress regarding Network Rail.

The Chairman expressed concern at the recent reply from the Head of Planning Services (HOPS) at HBC regarding retrospective planning application fees. The matter had been raised at

the Consultation Meeting with PC's last year and HBC had agreed to write to the relevant Government Office and lobby about the issue. HBC had not done as promised and Cllr Savage was asked to follow up the matter as HOPS had not appeared to understand what was being requested.

### **13. Commuted sums**

The Clerk had prepared a paper on the amounts of commuted sums available and where the money was allocated to. The criteria for each category was also touched on.

Resolved that the Clerk make this paper available for Cllrs so that projects could be worked up to be discussed at the April meeting.

Cllr Billenness gave an update on the matter of Glebe land at Cowthorpe. The Diocese was sympathetic to the land being used as POS, a covenant to this effect could be appended to any purchase/lease arrangements. The Clerk was asked to contact HBC to discover possible land costs/legal fees in respect of purchase/lease being arranged.

### **14. Dog fouling in Tockwith**

A discussion ensued about possible rewards for information leading to prosecution of offenders, how the PC could educate/pressure/instigate action which would help to resolve the problem of dog fouling, which had become much worse recently. The PC does not have funds available to pay rewards and any such payments could not be recovered.

It was resolved that the Clerk request HBC to provide copies of the Dog Warden leaflets, which Cllrs agreed to deliver to every house in the village.

### **15. Rural Safety Schemes**

Standing Orders were suspended.

A resident spoke of the 'village gates' scheme at Rufforth and suggested something similar for Tockwith. Another resident spoke of 'chicanes' in York, which appeared to work well. A resident of PRD spoke of 'speed humps' not being the answer but said that, if the Police recommended Matrix signs support for such a scheme would be forthcoming.

Standing Orders were resumed.

It was suggested that the PC ask the Police to provide evidence of speeding near the School, on Tockwith Lane and Kirk Lane. Such evidence should help by underlining the need for traffic calming in these locations. Cllr Algar agreed to work up possible schemes for Cllrs to discuss at a future meeting.

### **16. Correspondence**

Additional letters, e mails and planning applications/decisions were made known to Cllrs. Following debate, the following action points were resolved:

- **Junior Football Club** – reply - all requests should be dealt with via The Sportsfield Trust. It was stated to be unfortunate that all sports clubs appeared to act separately.
  - **E mail from TLDP** – a reply from HBC could be expected either this week or next.
- Some Cllrs were unhappy at the length of time taken for TLDP to receive a reply from HBC. It was proposed that the PC write to HBC asking them when they expect to reply to the detailed letter from consultants acting on behalf of the PC, with the letter copied to the Chief Executive. The motion was proposed and seconded. Further discussion ensued. A counter proposal was

made that having paid a consultant to act obo the PC, in conjunction with B/B PC, Tockwith PC should not take unilateral action and should allow the consultants to inform the PC when a reply was received from HBC and the contents thereof. TLDP should be encouraged to follow up the matter expeditiously. The original proposal was withdrawn on the basis of this further discussion.

- **Register of Financial and other Interests** – form given to Cllr Harrison for completion and return to the Clerk.
- **Participatory Budgeting meeting** – invitations passed to each Cllr for reply.
- **York & NYPFA** – the Clerk to complete and return the questionnaire

## **17. Planning, including standing item: BCB application**

BCB application – nothing further to report.

To ratify decisions from the last meeting/between meetings:

**New dwelling west of Niddway, Kendal Gardens** – erection of first floor extension over garage. *The PC had further comments following neighbour notification.*

*The PC resolved to object to this application, the most recent of several on this site, on the following grounds:-*

*1) the location plan accompanying the application is incorrect as it does not show the blue line confirming other land in the same ownership and, if the red line is to be believed, there would be no means of access to Niddway;*

*2) the proposals are considered to be an overintensive development of the site, similar to previous proposals which have not been supported by Planning Officers in the past;*

*3) there would be an adverse visual impact if such a large dwelling was permitted;*

*4) the proposed building would be disproportionate in size to surrounding houses and its massing would be incongruous in the area;*

*5) there is still concern at the amount of traffic such a large dwelling would generate and the amount of on site parking required. In spite of site visits in the past, which have been during the day, the problem has not been obvious as would be seen if visits were made at the start and end of the working day when parking in this cul-de-sac is difficult;*

*6) It is considered that this application was pre-meditated and could be seen to be a manipulation of the planning system, as the garage is not built yet, it has a tarpaulin over the roof so is not as shown on the plans;*

*7) Neighbours in the terraced dwellings to the west have expressed concern at the route shown for the drains from the new dwelling. The Parish Council was aware that agreement had been reached with a neighbour at number 22, but the plans appear to show the drain crossing the garden at number 20 .*

**Prospect House, 1, Westfield Road** – erection of single storey side extension to replace conservatory. *The Parish Council had no objections.*

**Rudgate Business Park** – erection of detached industrial unit for motor vehicle test, repair and service. *The Parish Council does not object to the principle of development but there are various concerns:*

1) *The PC is concerned about traffic movements into and out of Rudgate Business Park. Several concerns have been expressed about vehicles, especially large articulated lorries, reversing out of the site into Rudgate, or stopping on Rudgate and reversing into the site. As Rudgate is a well used C class road, with eroded edges and no speed limit apart from the national limit for such roads, such vehicular activity is 'an accident waiting to happen' and anything the Planning Authority can do, by the imposition of planning conditions, to lessen the problems will be very much appreciated;*

2) *Because of the congestion within the Business Park, it is most important that sufficient parking space is allowed for in the application site, especially as, if the business is successful, there would be several vehicles awaiting attention at any time as well as vehicles belonging to the site operators;*

3) *It is believed that there is a bore hole within the site and conditions will be required to prevent obscuring the use of this.*

**232, Prince Rupert Drive** – conversion of conservatory to form leisure room and erection of single storey side extension. *The Parish Council had no objections.*

**Tomlinsons – Animalcare Group PLC** – change of use of industrial unit (Use Class B8 – Storage or Distribution) to (Use Class B2 – General Industry) and (Use Class B8) and erection of new storage area. The Chairman outlined the recent planning application, the Press speculation surrounding it and the recent meeting hosted by Tomlinsons to explain to the PC, local residents and other interested parties more of the background and detail of the application. The application had arisen because the name of the Company using the site was to be changed although Tomlinsons would retain ownership of the site; the site already has permission for B2 and B8 Use Classes; the proposals would generate up to 100 IT based jobs; the building would be used mainly as a call centre; the use of chemicals would only involve a small area within the site and would involve diluting chemicals and not manufacture of them; the building was 50,000 sq. ft – a substantial industrial unit; the proposed use of the site would be more appropriate in a rural area than general industrial use, such as Tomrods, the previous applicant.

Standing Orders were suspended.

A resident spoke of the opportunity for provision of highly skilled jobs in the local area; the impact of the proposals would be no more than when Tomlinsons were operating at their peak; historically the site has been used for industrial purposes, before the conversion of farm buildings at Moorside had led to the increase in the number of nearby residential properties; a suitable use for the site would be better than leaving the site to become derelict or attracting unwelcome uses which would have a far greater detrimental impact on the local area; HBC would apply stringent conditions, regarding noise and hours of operation, to any grant of planning permission because of the proximity of residential properties; should general B8 Use be granted on the site, the impact on the area would be much worse regarding traffic flow on local roads; a successful local business could provide benefits to the community with regard to potential employment opportunities; the PC could be pro-active in supporting the application.

Standing Orders were resumed.

It was noted that initially there had been no neighbour objections to the application, other than concerns about noise and hours of operation. It was regretted that Press 'scaremongering' about 'chemicals' had such an effect on local residents.

Resolved by majority vote of 8:1 that the PC send a letter of support to HBC on the grounds of supporting employment in rural areas and suitable re-use of existing buildings to support the rural economy.

**Community Field** – access – it was resolved to abandon attempts to create a new access and to use the old field access in this location. Cllr Pick agreed to assist with hedge trimming and placing of a gate to the field. He agreed to keep a photographic record of what is there now, before any work is done. He also agreed to remove brick rubble from the demolition of the wall at the VH, this would save the cost of skips to take away the rubble.

### **Planning decisions – approved with conditions**

Skewkirk Hall – works to Listed building 228, PRD – erection of rear conservatory

### **Planning Appeal - dismissed**

80, Prince Rupert Drive – erection of first floor front extension

### **18. Accounts**

<u>Bank balances</u>	(as at 17.03.10)
Lloyds TSB current a/c	2,500.00
Lloyds TSB deposit a/c	4,812.49
Loan (ring fenced for specific purposes)	59,975.00

#### A/c's to pay/ratify

TLDP (consultant's fee)	235.00
New Wood Gardening (grounds maintenance)	914.15
Drain-Right Drain Care (VH drain jetting)	94.00
Tebbutt (Lights in VH Ladies toilets)	268.00
YLCA (Standing Orders)	27.00
Noticeboards (new supplier)	423.00
Mrs G Firth (salary to 31/3, expenses to 17/3)	896.07
YLCA (after 1/4, subs 2010/11)	374.00
Payments agreed but not made: SLCC (fee for training event)	
17.00 Noticeboards (X2 @ 269.00 each)	538.00

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

The Clerk was given delegated authority to arrange for the removal and replacement of the wall at the VH, a new quote of £12,500 to include VAT, labour and materials having been received and accepted. The Clerk was to seek an up to date quotation for works to the ginnel and, subject to this quote being acceptable, to arrange for the work to be done (as part of the Loan agreement conditions)

### **19. Date of next Meeting: WEDNESDAY 21st APRIL 2010 in Tockwith Church, immediately following the Annual Parish Meeting which will commence at 7.30pm.**

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