

TOCKWITH WITH WILSTROP PARISH COUNCIL

Minutes of a Council meeting held on Wednesday 20th October 2010 in Tockwith Church

Chairman: Councillor N Waller

Present: Councillors Mrs J Wardman, Mrs L Chasney, C Billenness, M Algar, P Pick,

In attendance: HBC Dog Wardens, District/County Cllr Savage, Mrs Audrey Unsworth (VHMC Chairman), Mrs G Firth (Clerk to the Council), 7 members of the public

The Chairman welcomed everyone to the October Council meeting.

Apologies for absence – were received from Cllr Saunders (holiday), Cllr Alliott (work), Cllr Harrison.

2. Declarations of Interest – none

3. Attendance by Lucy Reed and Mary Jones, HBC Dog Wardens Peter Stevenson from the Environment Agency was not present. The Dog Wardens had been invited to attend this meeting earlier in the year and had accepted. The Clerk apologised for not confirming their attendance as she had been away on holiday for the month of September.

The Chairman welcomed the Officers and invited them to address the meeting. They explained the purpose of their visit was to give an insight into the work of the Dog Warden Service. There are three Wardens, covering two full-time positions. Their responsibilities include:

- Stray dogs – any animal loose without its' owner, including abandoned pets. The Wardens collect the animal and (i) if it is tagged or micro-chipped, they return it home and give a warning to the owner; (ii) if there is no ID – the dog is taken to kennels at Pateley Bridge. There is an out-of-hours service for collection of stray animals. There will then be a collection fee of £50 + £7 per day kennel fee if it is to be returned to its' owner. Every effort will be made to re-home strays. There were 300 complaints last year involving 225 dogs, of whom 40 were rehomed and two had to be put to sleep because of illness or danger to the public.

- A micro-chipping service is available and approx 80 per year are done at a cost of £15 per dog when done at the owner's home. The law says dogs must wear a collar and tag.
- Barking – 160 complaints a year are received. Letters are sent to owners warning them of the complaint. Noise monitoring forms are given to complainants to complete and these are then passed to the Environmental Health Officer. Problems arise if dogs are left alone and become bored, they may whine and bark, night-time barking may become a problem or the owners may be irresponsible. The dog owner is approached in the first instance and advice given, if dogs are kept happy they do not bark or howl.

Enforcement is the ultimate sanction. This will depend upon the number and frequency of complaints. As a last resort, a noise abatement order could be served but involvement of the Dog Warden tends to resolve problems.

- Dog fouling. It is an offence not to pick up after your dog. If an incident is witnessed, there is an on-the-spot fine of £50. 14 days are given to pay the fine. If it is not paid offenders are taken to court and could be fined up to £1,000. Dog waste can be disposed of in red bins, in ordinary waste bins or taken home and put in domestic refuse as long as it is bagged and sealed.

The Dog Wardens are holding educational events across the District, visiting Schools and Parish Councils to talk about responsible dog ownership. Questions from Cllrs were invited.

1. A contact number for the service was requested – 01423 556633

2. Information is available on the HBC website. Cllr Billenness agreed to provide a hyperlink on

the PC's website.

3. How many prosecutions had there been? None but since 2006 there had been 58 fixed penalty fines given.
4. Autumn and winter are the worst times for dog fouling problems.
5. Wardens do patrols and undercover work but members of the public must be willing to give witness statements and the Dog Wardens will follow up. The complainant remains anonymous.

Standing Orders were suspended.

1. The problem seems to be intermittent in the Parish.
2. HBC Officers need hard evidence of the location, time and description of the owner and dog.
3. A particular problem is owners who do pick up and bag dog waste, only to throw it into hedge bottoms/ditches. This is littering but HBC do not prosecute for this.
4. The problems are particularly bad in winter when it is darker, owners walk shorter distances and do not see what their dogs are doing.
5. In Cowthorpe, a Dog Walking Service visits regularly and has several dogs on leashes at the same time.

The Dog Wardens are having a meeting in November with all known Dog Walking Services in the District to remind them of their responsibilities.

6. When do the Dog Wardens do undercover work? Where specific incidents take place the Wardens will visit with their own dogs to patrol the area. The presence of other people means dog owners are more likely to pick up after their dogs.
7. It was regretted that HBC does not prosecute for littering, as this makes the problem worse as the waste does not degrade when left in bags in ditches. The Wardens spoke of their frustration at the overlap in HBC between them, Environmental Health and Enforcement. They would take action if they were allowed to.
8. The lack of dog waste bins in appropriate places was mentioned. The problem is the cost of emptying them not their provision.

Standing Orders were resumed.

It was resolved that the Clerk would copy leaflets for distribution round the Parish, once she received the pdf file. The Dog Wardens advised that if there were any issues in the Parish, they should be contacted with details and they would follow up. The contact telephone number would be placed in the Parish magazine and on the PC website.

The Wardens were thanked for their attendance and helpful information.

4. Public Questions or Statements - none

5. Minutes of the last meeting and Exempt Minutes

The Minutes of the September meeting, having been circulated and taken as read, were agreed as a correct record and signed by the Chairman.

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

Letter from Marton cum Grafton PC – It was reported that Nigel Adams MP had taken NYWAG members to see the Government Minister at Westminster.

- The fact that NYCC would become a net importer of waste was wrong
- The fact that NYCC were going ahead, without waiting for the results of the country-wide DEFRA consultation was regretted.
- The issue gives rise to great concern because of the haste, expense and the fact that a

contract would appear to be on the table and be a 'done deal'.

Cllr Savage was invited to comment. He gave a resume of events to date, speaking of the complicated nature of the proposals, the fact that a special committee of NYCC Cllrs was meeting to enable them to understand the matters at issue, the vast amount of resources that had been spent so far, support for McG PC had mainly come from concerned Town Councils, and the perceived haste of pushing through very unpopular proposals.

Resolved to respond to McG PC with a copy to NYCC, supporting opposition to the PFI Contract, the Funding issues, as the costs to North Yorkshire tax payers would be a disproportionate risk both now and for future generations and the proposed Technology before the DEFRA report is available.

Proposed meeting with Officers from Area 6 at Starbeck – the Clerk to contact and get suitable dates/times/venue.

Bilton Bridleway – ongoing.

Community Resilience Scheme – there had been no response from the public, in spite of advertising the need for a working party to be formed. It was decided to revisit the issue at a future date.

Fish and Chip van – the Chairman gave a resume of the situation to date and spoke of concerns raised by adjacent residents and businesses. Due to the popularity of the service, it was in the VH car park much longer than initially advised. The VHMC Chairman was invited to comment. She spoke of the fact that the demand for the service could not have been foreseen and the original intention to visit several villages in one evening had not happened. The intention was now to visit each village on a separate night. She had been in contact with the operator and the adjacent resident and business and had attempted to sort out the 'teething' troubles as they arose. She had asked that she be contacted if there were further matters of concern.

Following discussion it was agreed that:

- the probationary period should be allowed to continue, once the initial enthusiasm wanes things may settle down
- the VHMC has the responsibility of managing the day to day operation of the VH and any issues/concerns should be addressed to the Chairman or any member of the management committee
- the service would have to be managed so as not to adversely affect events taking place in the VH on a Friday night
- the service should consider moving to a different site in the village if the problems were insurmountable

7. Report from the Clerk

Tyres on airfield – update – more tyres had appeared on site and these were spread around into trenches and all over the place. It was questioned WHO will be responsible for removing them all and can we be assured that they will ALL be removed.

Sale of Land at Cowthorpe – ongoing. The Clerk to follow up. The Diocese/Rector is willing to assist in moving matters forward.

Adopt a kiosk – the Clerk will be writing AGAIN to C E Electric, after phoning to obtain the information needed, before returning it so that their record

s are complete. The waste of time and effort during this whole matter caused the Clerk concern.

Commuted sums – the Clerk had still not had a reply to her letter dated 3rd June – she will chase this up AGAIN.

Airfield – nothing further has been heard from HBC but there are issues from the TAAG meeting and other e mails about NAO and PCN issues later in the meeting.

Village Hall – the Clerk is addressing outstanding issues. Authorisation was given to go ahead with repair to the floor as a matter of expediency as there are problems with the folding acoustic door until the issues are resolved. [The Clerk had written to six companies, two had visited but only one quotation had been received.]

Crawford Close ginnel – the fence has received attention and is now more upright but there is a lot of weed growth and nettles along the sides of the footpath. Authorisation was given to the Clerk to arrange for attention to this, with the caveat that the PC is not accepting responsibility for future maintenance of the ginnel..

Wilstrop slurry lagoon – still no response from HBC.

Youth Club – still no response from NYCC to our request for a meeting. The YC now has a new Leader and he has a new Line Manager, neither of whom know anything about the matters at issue. The ‘new’ YC seems reluctant to engage with the young people in the Parish. It is considered most important that a resolution to the present impasse is achieved and it was resolved that the Chairman write to the Director of Education and the Asst CEO about the matter. It was said that NYCC should put sufficient resources into Tockwith YC.

Notes from recent SLCC Training/publications which may help the PC – the Clerk to include these in the next corries file.

Report back from TAAG meeting and update on current issues surrounding the airfield –

- the Noise Abatement Hearing has been put back again, to a date in February, for a 4 day Hearing in front of a District Judge. The Clerk had made enquires about an Injunction but had had no response from HBC.
- No response after two months to the letter and evidence dossier had resulted in the B/B PC Clerk writing to ask for a progress report. Out of this came a request to allow the dossier to be placed on the HBC website, with a warning that we would be acting illegally if this was not done. Meanwhile seemingly little progress, other than HBC saying it was looking into the planning history of the airfield but HBC did offer to meet soon to discuss matters at issue.
- Supplementary information to the PCN has been supplied by Simon Moore, but to date is not available on the HBC website.
- At tonight’s meeting this PC is being asked to support the draft letter produced by the B/B PC Clerk.
- Should we be asking for a timescale and an early meeting with HBC Officers.
- It remains the case that HBC seem to be treating this whole matter as a dispute between the site operator and the PC’s, TAAG and residents instead of making its own case, as it was HBC who served the PCN in the first place. We submitted the dossier to assist HBC so it is known that the information is out there if only they have the will and perseverance to research it.

8. Police matters

In the absence of PC Haydon, the Clerk read out his report. Apologies for absence as on day shift. The last two months have been quiet on the crime front in Tockwith.

- There has been a burglary at Westfield Green where entry was gained and the keys to a vehicle taken. The vehicle was taken from the driveway. The offence took place during the night.
- There have been a small number of thefts on the Marston Moor Business Park
- The surrounding area, including Long Marston and Wighill appears to have taken the brunt of the general crime
- There are no trends or crime patterns
- I have no figures but in comparison to last year crime in the Marston Ward is down across the board. I will provide figures for the next meeting.
- I have spoken to a number of youths during the evenings regarding their general behaviour and warned them re their conduct. They have been warned off the School premises and skate boarding around the Doctor's Surgery. I would like to think the word has got round.
- I was talking to the youths who expressed their concerns over the progress of a Skate Park in the village. I said I would ask the PC if there was any update and pass it on. It appears that the youths are desperate for somewhere to go and use their skateboards and bmx bikes.

Comments from Cllrs were asked for: It was reported that the Spinney is being used informally by skateboarders. It was a cause for concern that the PCSO for this area had left and not been replaced. There had been no mention of the biohazard, created by the tankers containing contaminated water following the BCB fore having been stolen. An update/progress report was to be requested.

9. Village Hall

The VHMC Chairman, Mrs Unsworth gave a report.

- The Entertainment evening on 18th September had been a success and very enjoyable. People were pressing for another to be held. The VHMC hoped to hold an event in the Spring of next year.
- Attention to the floor is required as a matter of urgency. The acoustic folding door is held back in an open position and a notice has been placed advising that it should not be used until the floor is repaired.
- The VHMC has concern that the YC is being run to the disadvantage of other Tockwith youngsters.
- A new season has started and a new user found for Friday afternoons. Marketing continues to try and encourage full use of the available facilities. New users were encouraged to advertise themselves in the Parish Magazine.
- The Annual Christmas Fair will be held on Saturday 27th November.
- The VHMC would have appreciated being told of the proposal to site the shoe bank in the VH car park as space is at a premium. A letter of thanks from European Recycling Ltd was passed to the Mrs Unsworth.
- Fish and Chip van – a watching brief will be kept and any problems addressed, once informed of them.

10. Wilstrop issues Cllr Mrs Chasney reported:

- That there had been no further progress regarding highway matters reported in July.
- The issue regarding the footpath was urgent since the Harrogate to York bus service was going to be withdrawn. It was suggested that everyone used the train, but a walk along the A59 with no footpath is a very dangerous undertaking. This item to be raised at the meeting with Area 6 at Starbeck.

11. Report by County/District Councillor Savage

The Government Spending Review is likely to lead to cuts across all NYCC services

BCB – the clean-up is taking a long time to organise/accept responsibility for. Three Insurance Companies are involved. Since the Company had now entered Receivership, the responsibility rests with the landowner not the operator, but there is difficulty in locating him. A site visit had revealed a depth of foul smelling waste to be removed before the remains of the building could be demolished.

Allerton – although recent road shows/exhibitions had been held, they were not at times that concerned local people, who worked, could attend.

Questions from Cllrs were invited.

- Consultation on Education Transport – a Cllr was appalled that discrimination on grounds of faith, disability and parental choice was being proposed.
- The Business Rate Support Grant was questioned again as the concerned resident had received no answer to his query.
- The removal of the provision of a footpath from Prince Rupert Drive to the School following the Reductions in the Integrated Transport Capital Programme was deplored. The fact that NYCC has taken so long to progress matters and could be said to have started the work following works along Southfield Lane, was an insufficient reason to withdraw the project.

Cllr Savage was thanked for his attendance and report.

12. Report from TAAG (Tockwith Airfield Action Group)

Standing Orders were suspended.

The B/B PC Clerk reported on their meeting this week. They supported the sending of the letter to Mr Gill at HBC. B/B PC continue to support this PC and entered into recent correspondence because the Clerk was away on holiday. It was felt that there was no co-ordination at HBC, no urgency from The Environment Agency and a lack of will to expedite matters. They had asked Cllr Savage to set up an early meeting with the CEO at HBC to address the concerns. Withdrawal of the evidence dossier was not considered an option as this would only delay court matters appreciably.

The TAAG Chairman reported that there would be a further delay in the NAO Hearing, following further submissions from the site operator and the time it would take HBC Officers to look at this information. Residents prepared to submit witness statements had been asked to nominate availability in February. The original NAO had been served in March. HBC have enough evidence now to pursue the NAO. Officers at HBC are not believed to be co-ordinating their approach to the various problems with Environmental Health dealing with noise issues, Planning and Enforcement dealing with the PCN and the matter of the 30,000 tyres was left to The Environment Agency to deal with. He had contacted TLDP to update them and they had confirmed that HBC have enough evidence to take Enforcement action now. That evidence is in the public domain and easily verifiable so HBC should provide its own dossier of evidence. TAAG do not see the withdrawal of the evidence dossier as a way forward. There would need to be certainty that the site operator had had a final chance to submit his response to the PCN, a meeting would be held with HBC Officers to agree a timetable for action, following which there would be no opposition to the publishing of the dossier on the HBC website.

Standing Orders were resumed.

Cllrs considered there was good reason to meet with the CEO, as he had expressed interest in

the case and been kept abreast of events to date. There should be a case co-ordinator obo the CEO, who could oversee the evidence submitted and concede it was accurate/rebut with counter evidence or decide that perjury had been committed. Resolved that the Council authorise sending the letter to HBC prepared by the Clerk to B/B PC. Discussion arose about the wording of the letter, especially the first lines of page 2, the thinking being that it could be counter productive because of the hoped for early meeting with HBC Officers, but the majority of Cllrs agreed to leave the letter as it was, saying that the CEO should be forewarned of the loss of faith by the public.

Resolved to agree to Cllr Savage arranging an early meeting with the CEO, attendees to be the Chairmen and Clerks of both PC's and the Chairman and Secretary of TAAG.

13. Correspondence

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

- i) HBC – Budget Consultation - Cllr Billenness to complete
- ii) HBC – Discretionary Scheme Enhancements – the Clerk to reply and say rural areas, without Public Transport, needed the Enhancements, otherwise residents would be unduly disadvantaged.
- iii) NYCC – the Clerk to write and object to the removal of the footpath from PRD to the School.
- iv) Marston Road Play Area – the Clerk to liaise with Cllr Mrs Wardman and arrange remedial repairs following the annual Inspection.

14. Planning

Skewkirk Bridge – application to add a Bridleway to the Definitive Map and Statement *Resolved to reply and state that, although in the current economic climate a bridlebridge is not likely to be built in the lifetime of anyone residing in the Parish, it is important that a River crossing is constructed at the earliest opportunity, especially given acceptance by NYCC that it has an obligation to provide one. We note that it is many years since there was a River crossing but would not want to prevent people taking horses across the bridge.*

Unit 3, The Old Barracks, Blind Lane – replacement planning permission – erection of replacement detached building for use classes B1, B2 and B8 *There were no objections to this application.*

TPO at Wood Grove, Westfield Road – *No objections.*

HBC – LDF – DPD Consultation – Sites and Policies Development Plan. The Chairman had attended the recent public exhibition and informed the PC of an additional exhibition to be held at Green Hammerton on 2nd November at 7pm. The meeting had been useful in that it included information on what sites had been considered and the reasons for accepting or rejecting them. He gave a resume of the proposals for Tockwith and directed Cllrs to the appropriate HBC website page, giving all the information required to make an informed decision. He suggested it would be better to adjourn a decision from this PC until the November meeting until Cllrs had time to digest the information given on the website.

Standing Orders were suspended.

Mr Coggrave said he was willing to provide detailed information on the proposals, including drawings and maps and explaining the land use and sustainability issues and phasing of

development to allow integration into the village. He was invited to attend the November meeting to address the PC.

Standing Orders were resumed.

Cllrs spoke of their initial reactions: that the development seemed well thought out, a footpath would tie in all the areas of the village, there would be a net gain of open space with added benefits of a Play Area and access to the School from the top end of PRD, there would be a more rounded feel to the village, hopefully removing the 'us and them' mentality regarding the old village and the PRD Estate. Concern was expressed that NYCC appeared to consider Southfield Lane in its current state acceptable for all the increased traffic which would arise.

Planning decisions – approved with conditions

158, PRD - erection of single storey side and rear extensions

15. Accounts

Bank balances (as at 20.10.10)

Lloyds TSB current a/c	2,500.00
Lloyds TSB deposit a/c	14,085.45
Loan (ring fenced for specific purposes)	18,038.63

A/c's to ratify/pay

Denis St Clair (Noticeboards repairs)	118.00
Playsafety Ltd (Play Area Inspection)	77.56
Information Commissioner	35.00
YLCA (p&p for booklets)	1.50
Floor Repair at VH	1,520.00
Advance notice of PWLB D/D (1st November)	3,791.93
SLCC (November Training)	20.00

Viking Direct (stationery supplies if bf next mtg)

The Clerk asked for authority to pay the latter two a/c's if invoices are received before the November meeting.

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

The Clerk asked Cllrs to consider any budget items they would like to see included in the Precept, to be produced for the November meeting. This would assist her in compiling a budget for next year.

Thanks were expressed to Cllr Pick for the work he had done to provide the fencing and gates at the Community Field, at no cost to the PC. Cllr Billenness commented that Cowthorpe will not

need any more Christmas lights this year. Those from last year will be used again at the Church, where they were greatly enjoyed last year.

16. Date of next Meeting: WEDNESDAY 17th NOVEMBER 2010 in Tockwith Church, commencing at 7.30pm.

Cllr Billenness gave his apologies in advance of the meeting.