

## **TOCKWITH WITH WILSTROP PARISH COUNCIL**

Minutes of a Council meeting held on Wednesday 18th May 2011 in Tockwith Church

**Chairman:** Councillor C Saunders

**Present:** Councillors Mrs L Chasney, Mrs J Wardman, C Billenness, S Harrison, P Pick and W Bowyer

**In attendance:** Cllr Savage (County/District Cllr), PCSO Graham-Merritt, Peter Stevenson (The Environment Agency), Mrs Unsworth (VHMC Chairman), Cllrs B Smythe, E Pope, T Smithson and T Grant (Clerk) – all B/B PC, Mrs G Firth (Clerk to the Council), 5 members of the public.

The Chairman welcomed everyone to the May Council meeting.

**Apologies for absence** – were received from Cllrs N Waller and M Algar (business commitments)

**Declarations of Interest** - none

**Peter Stevenson from The Environment Agency** was welcomed and invited to address the meeting. Standing Orders were suspended.

### **BCB update:-**

- following the fire the Company went into administration, then liquidation and forfeited any interest in the site.
- The clean-up was left to the land owner
- The Environment Agency had been dealing with the land owner's representatives
- The clean-up was completed by the end of March
- There is residual contamination of the concrete base, the roadway and the drainage system
- A Tender is being sought for remaining clear-up work. This should be decided this week.
- Once a contract is awarded, it is hoped the work will begin immediately, which might result in some noise from the site during works.
- The land owner is looking to erect a new building on site to be rented out.

Cllrs thanked the EA Officers for the work they did during involvement in the BCB site but expressed concern that a valid waste transfer licence remained in force for the site.

- The response was that all contracts, leases, permits and licenses are renounced when a company goes into liquidation.

A new Lease would require a permit/license before operating, if it was a waste business. Planning permission would need to be obtained first for any company wishing to operate from a new building. It was unlikely the EA would object to a business having planning permission.

A question was asked about polluted water courses.

- Attention to them would be part of the clean-up process.  
A question was asked about the 'stolen' tankers and building.
- The EA is not aware of the status of the Police investigation but the tankers were never traced although the building was.

It was questioned if the EA had 'learned lessons' from the major incident.

- The major issue was one of communication. The dialogue with residents in the aftermath of the incident had not been good.
- Other organisations are involved with drawing up emergency plans in case of similar incidents occurring in future. This involved the Emergency Services.

North Yorkshire Fire Service is leading on Emergency Plans for such sites. Lack of water and water pressure on the Business Park were cited as causes for concern.

- This was being addressed by the Fire Service.

As this was not the first fire on this site, the lack of process and effective action gave cause for concern.

- Lessons have been learned by the Emergency Services regarding causes/effects
- Work had been done with BCB to minimise repeat events after the first two fires
- There had been no emergency plan in place regarding the lack of water pressure but the latest fire had been left to burn to disperse pollutants. The Fire Service had not required lots of water to put the fire out only for damping down afterwards.

### **Tyres on the airfield and in the Business Park:-**

- The tyre company is operating as an illegal waste transfer station. Tyres have been brought to site/stored and removed without authorisation
- The Fire Service and Local Authority (NYCC) have visited the site
- The Company owner has been arrested twice
- The current aim is to get the tyres removed – the company was served notice to comply by the end of last year. This did not happen. There is a Case File with a legal team. Dialogue is continuing with the Tyre Company and it is slightly more hopeful that the tyres will be removed to a legal site. If this does not happen the onus will fall on the land owner. A possible time scale of three months is being worked to.

If the land owner does not move the tyres what happens then?

- The EA could remove the tyres at tax payers expense and look to recover that money from the person responsible but it is a very long drawn out process with no guarantee that it will work.
- The EA is still looking to gather evidence of reports that tyres are still being brought to site, in which case a second Case File would be opened.

Residents who see activity on site are asked to call the EA freephone number to report. The fact that the tyres have been spread out is better from the point of view that a fire would be easier to deal with.

The Chairman spoke of the fact that unauthorised activity was taking place but no action was being taken resulting in the perception of the EA being seen as impotent.

- The EA has a very difficult job if the perpetrators are determined not to comply.
- Actions cannot be stopped until a prosecution occurs and even then there may be no resolution of the problems.
- After a first conviction it is hoped to use the Proceeds of Crime Act to pursue reimbursement of costs from the owner/user of the land, but this is a very lengthy process.

The EA promised to continue to pursue the issues and keep the PC updated on action. There are relatively few tyre processing places in the country. The EA deals with most problems due to tyres.

There are two other waste transfer sites operating on the Business Park with licenses. Since the BCB incident the EA has spent time with these companies looking at the Emergency Plan, improving precautions in case of fire and improvements have been made.

Standing Orders were resumed.

Mr Stevenson was thanked for attending and answering questions. An EA representative would be willing to attend a future PC meeting to talk about the proposals at Allerton.

### **8. Police matters**

PCSO Graham-Merritt was welcomed to the meeting and invited to report.

- Since the 17th March there have been 5 thefts with 1 arrest; 1 burglary dwelling; 2 commercial burglaries; 1 stolen motor vehicle, which was recovered; 1 drugs offence; 2 cases of criminal damage; 4 anti-social behaviour cases; 1 case of criminal violence and 5 suspicious activities.
- In the Boroughbridge policing area theft of fuel, red and white diesel are prevalent. A leaflet has been produced to advise of information/precautions to be taken.

It was noted that there had been an increase in Ward crimes.

Cllrs raised the following concerns:

- Complaints of traffic speeding at the east end of the village along Marston Road. A Police presence was requested especially at morning rush hour times to act as a deterrent. PC Brookes would be informed and asked to action.
- On ringing the Police switchboard, a Cllr had been kept 'on hold' for more than 15 minutes – this was not acceptable. Apologies were offered. It is known there have been internal problems with the switchboard and antiquated systems. Inspector Chapman will be informed and asked to resolve matters.
- Cllrs perceived there had been an increase in accidents at Cattal cross-roads. The Police are not aware of any increase reported to them.

The Police Officer was thanked for attending and giving his report.

### **4. Minutes of the Annual Parish Meeting and last Ordinary PC meeting**

Having been circulated and taken as read were agreed as a correct record and signed by the Chairman.

### **5. Matters arising from the Minutes/business remaining from the last meeting** – none.

**3. Public questions or Statements** Standing Orders were suspended. The Chairman of TAAG asked the Chairman and Cllrs to agree that tremendous progress had been made in seeking to resolve the long standing noise nuisance and planning issues associated with activities on the airfield. A second question asked for agreement that this progress had been made because of the involvement of TAAG, a unified body of various local groups, and that it was important that that approach continued until the airfield issues are resolved.

The Chairman responded by recognising the points made in the speech from the TAAG Chairman; stated that all must agree that progress had been made regarding the airfield issues and a huge vote of thanks must go to those who had worked hard to prepare evidence and assisted in the work of TAAG. The matter of continuation of TAAG in its current form was to be discussed at a later point in the agenda.

### **7. Village Hall**

Standing Orders were suspended.

Mrs Unsworth gave a report. The last meeting was the AGM, where attendees had had the opportunity to look round the VH and see the improvements for themselves.

- The Treasurer had resigned and a new Treasurer had been appointed – Mrs D Kennett
- The Constitution had been amended - by the addition of a fifth elected Officer to serve on the VHMC, to be responsible for grants and awards – Mrs Dalglish.
- At the end of the AGM thanks had been expressed to the dedicated members of the VHMC who, though few in number, worked so hard for the VH.
- A vote of thanks was given to the PC for its help, advice and support, not least by the PC representative, the Clerk.

Standing Orders were resumed.

The Chairman thanked the VHMC for all the work it does on behalf of the PC.

### **9. and 10. Report by County/District Cllr Savage**

(i) Cattal Bridge – the works were finally completed but after a delay, in part because English Heritage had insisted on a particular type of stone.

(ii) B1224 footpath – is now considered a hazard to use because of the deteriorating surface and proliferation of weeds growing through the surface. The footpath has now been closed and blocked off. Repair work will be done under warranty by Balfour Beatty and sub-contractors as the path is an embarrassment, but this will take time.

(iii) Footpath PRD to Southfield Lane – NYCC cannot move planings to address the state of the surface (following orders from the EA). The PC are allowed to use the planings for the surface if they will collect them and organise their laying. The PC would have to absolved from potential threats before it could undertake the work if NYCC were not going to do it.

(iv) Airfield issues – special thanks must go to the CEO of HBC for his interest and assistance thus far. Much of the progress is down to him.

(v) NYCC – I am a member of the Alzheimer's Society at Ripon.

(vi) Libraries – I have been involved in motions to NYCC for alternative means of dealing with threats to library closures. All were defeated. [Reports as addenda at end of these minutes.]

(vii) Sportsfield – Business Rates – the Sportsfield Trust will have to contact the Valuation Officer personally – this cannot be done by the District Cllr. The matter may then go to a Valuation Tribunal. Cllr Savage was asked to speak directly with Deryck Wilson to explain the position.

(viii) Cllr Savage asked for a letter from the Clerk defining the locations of the proposed two new litter bins. Cllr Savage was thanked for attending and giving his Report.

### **11. Wilstrop issues**

Most current issues are on the Cllr Savage's list of things to do. Following recent weather flooding and road erosion have become a problem again. The Clerk was asked to write to NYCC Area 6 explaining the problems and asking for resolutions.

### **12. Report from the Clerk**

**Purchase of land at Cowthorpe** – final paperwork received from the Solicitor.

- Planning application for change of use being progressed – quotation of £250 + expenses +£40 (OS Maps) + VAT received from Architect ~£350.

- PC decision required on how the land is dealt with in the short term – clearance, grass seeding/lawn laying/provision of seat/bin etc – quote of £680 + VAT received from grounds maintenance contractor for clearance and debris removal

**Westfield Green POS** I have heard back from the contractor – a quotation of £200 + VAT for dead shrub clearance received plus £230 + VAT for fence repair/replacement. Cllrs authorised the Clerk to liaise with the contractor and go ahead with the works required.

### **Village Hall**

- I have now put before the VHMC the plans for the 'Plan B' attempt to extend, add storage and provide a disabled toilet.
- I ask the PC for approval for me to progress the planning application with HBC so that we can go ahead swiftly in the event that other grant applications are unsuccessful. The Council gave approval to proceed.

The Planning fee may be waived if HBC accept Plan B as an amendment to the existing approval. If not, the cost is likely to be £85.00. The architect has agreed to work at cost and I ask for agreement to pay his fee of £300.00 to include all work to date, submission of the planning application through to receiving approval and discharging planning conditions.

- expenditure and inform you that I have sought reimbursement from both the VHMC and The Players for their share of the work done.

**HMRC - PAYE** HMRC has said it is experiencing lengthy delays due to the unprecedented numbers of Councils applying to become registered. The PC is registered as an employer; I am registered as the only employee; we are 'in the system' to send/receive correspondence with HMRC. Meanwhile my salary this month is subject to 20% tax as we are operating the BR code until we have confirmation of the correct coding.

**Rose Cottage, Kendal Lane** - planning application response and my error as reported last month. I have had a message of thanks for acting speedily to resolve the problem. The decision of refusal has now been received from HBC.

**Kendal Lane** - stables – possible enforcement – I have contacted and received a reply from HBC, stating that the matter is with HBC Solicitors.

**Marston Moor Airfield** – response to my letter of last month. I have received from Barry Gill a letter of apology for not sending this PC the Enforcement Notices, (as the airfield lies within our parish, we should have been sent the Notices – this was put down to an error on behalf of the Legal Dept. at HBC); copies of all 6 Enforcement Notices; details of the current position; possible future timetable and promises of further updates as matters progress.

**13. Report back from T.A.A.G working party** The Chairman made known the latest messages from HBC regarding the airfield issues, regarding the Noise Abatement Orders and the fact that Appeals have been submitted to all 6 Enforcement Notices. The Chairman spoke of the last TAAG meeting he had attended, after which he felt bullied, embarrassed and harassed by others attending. A subsequent e mail had been received by the Clerk, purportedly from Bilton with Bickerton Parish Council, by hand of their Clerk, which had caused great concern.

Cllr Billenness cited SO 26 and moved that the meeting should go into exempt session during consideration of this item as the matters at issue concerned an employee of the PC. The motion was agreed and the public were asked to leave the meeting. An exempt minute refers to what was discussed in exempt session. Following debate and resolution the public were allowed back into the meeting.

The Chairman stated that a motion regarding the future actions of the PC relevant to TAAG would be an agenda item at the June meeting. Cllrs Billenness and Harrison agreed to discuss the Memorandum of Understanding and report back to the next PC meeting with suggestions.

Cllrs resolved to move to the next item of business.

**14. Path along the B1224** Cllr Savage updated the meeting on the current situation.

**15. Correspondence** Councillors had previously been forwarded a list of correspondence.

- HBC – Review of Polling Districts – the Clerk to reply
- NYCC Reduced Opening hours of Waste Recycling Centres – the Clerk to post notices
- HBC – Commuted sums – data base – the Clerk to reply with information of local organisations
- Footpath B1224 – the Clerk to reply to complainants
- RAF – Chinese lanterns – the Clerk to post information on the Noticeboards
- FOI request – the Clerk to reply and state that information on the last audited accounts is available on the PC website

## **16. Planning**

**Planning applications None**

**Planning Decisions – approved with conditions The White Cottage, 73, Marston Road – erection of single storey rear extension**

**Planning decision – refused Rose Cottage, Kendal Lane – erection of 2 storey and single storey rear extension**

**Planning Enforcement – result of investigation Moorside Cottage – building works Development does not require planning consent – no further action.**

## **17. Accounts**

<u>Bank balances</u>	(as at 13105.11)	
Lloyds TSB current a/c		2,500.00
Lloyds TSB deposit a/c	32,872.14	
Less un-presented cheques	387.00	
	35.00	
	11.35	
PWLB D/D	3,791.93	28,646.86
Plus recent deposits	30.00	28,676.86
Loan (ring fenced for specific purposes)		<u>20,469.00</u>
Leaving a working balance of		12,403.14

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

JAG Burnell (electrical work at VH) (PC share £232.45)	615.70
HBC (planning application fee VH)	85.00
Farrer Design (architect's fee)	300.00
New Wood Gardening (Tockwith POS work)	516.00
Mrs Firth (salary and expenses)	839.36
Mrs Firth (reimburse printer supplies)	111.11
HBC planning application fee (Cowthorpe POS)	165.00

Architect's fees ~£350.00 exact cost not known yet

Grants It was agreed at this time to consider grants from those organisations which had submitted requests. Cllrs who are Representatives on outside bodies were encouraged to alert those bodies to the need to submit a grant request.

Tockwith Church	500.00
Knaresborough Methodist Circuit (Methodist graveyard)	450.00
Tockwith and District Show	250.00
Tockwith Village Hall	600.00

Cllrs Mrs Chasney, P Pick and C Billenness declared a personal interest in the matter of the Show grant, being members of the Show Committee.

#### Receipts

HBC BACS (commuted sums)	613.00
HBC Precept (1)	12,500.00

Resolved that the bank balances be accepted, accounts to pay and award of grants to be agreed/ratified as above and receipts acknowledged.

Review of the effectiveness of the system of Internal Control Cllrs had all received papers prepared by the Clerk relating to this issue. Financial Regulations and Standing Orders were approved, after Review, at the April PC meeting. The following were reviewed, agreed and approved:

- Review of Fidelity Insurance
- Review of Financial Regulations (at April meeting)
- Review of Financial Risk Assessment
- Ensuring the PC receives adequate and regular financial information from the RFO

The Clerk was authorised to publish a statement on internal control.

Appointment of Internal Auditor Mr Mike Corbett was appointed to act as the Internal Auditor for the financial year.

#### **18. Date of next Meeting: WEDNESDAY 15th JUNE in Tockwith Church, at 7.30pm.**

**17. Exempt Matters** See minute under item 13 on the agenda. No further matters for consideration.

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