

## **TOCKWITH WITH WILSTROP PARISH COUNCIL**

### **Minutes of a Council meeting held on Wednesday 19th December 2012 in Tockwith Church**

**Present:** Councillors; Mr N Waller (Chair), Mrs J Wardman, Mrs A Wilson, Mrs J Thompson, Mrs L Gill, Mr C Billenness, Mrs S Pearce

**In attendance:** Mrs H Algar (Clerk to the Council).

**Apologies:** Councillor Mrs S Corbett.

**1.Apologies for absence** Cllr Waller opened the meeting No apologies were received prior to the meeting from Cllr Mrs B Smith

RESOLVED that apologies were accepted for Councillor Mrs S Corbett.

Cllr Waller asked for approval to move the agenda in order to grant dispensations for the precept prior to the declaration of interests.

### **3.Matters Requested by Councillors**

3.4 To agree to add the following motion to the council's Standing Orders "In relation to a situation where most or all Council members hold a disclosable pecuniary interest in a matter (e.g setting of council precept or a matter which effects the whole parish such as a proposed development in the area). The function of granting dispensation requests should be delegated to an officer pursuant to s.101(1) of the 1972 Local Government Act."

All agreed that in order to move forward to agreeing the precept for the following financial year that the motion should be added to the Standing orders.

RESOLVED that motion be added to the Standing Orders.

The chairman moved to item 2 on the Agenda.

### **2. Declarations of Interests**

The Clerk confirmed that she had received dispensation requests from all councillors present and that she has accepted their reasons for dispensation.

RESOLVED that all Councillors present are able to vote on the setting of the Precept and that the dispensations are valid for 4 years.

### **3.Matters Requested by Councillors.**

3.1 To decide the council's response to the letter received from The Environment Agency regarding the illegal tyres on the Tockwith Airfield.

Cllrs were very disappointed with the response from the Environment Agency, as the Agency had prosecuted Mr Ketteridge they had hoped that they would see through the process including the removal of the tyres. It appeared to Councillors that the Environment Agency were letting issues fall back onto the landowner and passing the responsibility to planning enforcement. It seemed as if no action would occur until after the enforcement date expires in Feb 2013.

RESOLVED to write to Dave Allenby at HBC to let him have a copy of the Environment Agency's

response regarding the tyres.

RESOLVED to write back to the Environment Agency asking why they are not pushing for the removal of the tyres irrespective of the planning enforcement case as there is information of a case in York where Mr Ketteridge had dumped tyres and the Environment Agency removed them. What is the difference in this case?

RESOLVED that we invite the Environment Agency to attend the January meeting to give an update on the issue moving forward. Also copy Dave Allenby into this invitation so that he knows we have invited them to speak to us.

3.2 To decide the council's response to the letter received from the Environmental Protection Team regarding the noise issues on Tockwith Airfield.

Councillors expressed the concern that the matter was no further forward than it was 12 months ago. The stopping of the monitoring was disappointing as most of the issues are on a weekend. It was noted that HBC had agreed to start monitoring again if residents report problems and log them. Cllrs noted that residents had been doing this for well over a year and no real action has occurred. Residents feel that nothing will change even if they report it. Three failures out of nine does actually seem quite unacceptable particularly following the court case in June where the magistrate showed it was a serious breach and would have imposed a large fine had the recipient been able to pay it. How do these three breaches feed into this as far as Environmental Protection are concerned?

RESOLVED that the Clerk write to Environmental protection to express the local residents' concern and frustration on the lack of action despite all their logs and contact regarding noise, Cllr Wilson to also send Clerk information regarding the ruling in magistrates court and the seriousness of this matter with respect to the current monitoring situation. Put this information into correspondence to Environmental Protection team.

RESOLVED that the Clerk write to Dave Allenby at HBC and express that no information has come since Dave Allenby's visit to the Airfield site as had been promised. Also ask why there has been no update on the Agricultural Buildings use on the airfield.

3.3 To consider a response to the recent consultation regarding the movement of a footpath on land in the Warfield Lane area of Cowthorpe.

It is a popular footpath from the back of Bickerton through to Wetherby via the back of Warfield lane. The change that has been proposed is to make the path follow a more natural line.

Cllr Thompson and Cllr Billenness had consulted with parish and in the main most were happy with the changes proposed but they did want to make known that they would be happy as long as the path is properly maintained and will be high enough to be accessible around the pond when there has been large amounts of rain.

Cllrs also wondered if it could be put to the owners to give permissive right of way to pedestrians through the farm (this issue is not related to the movement of the path itself)

RESOLVED that the change is accepted in principle and get the Clerk to respond with the comments regarding the maintenance and the height of the path around the pond.

RESOLVED that the Clerk ask as a separate issue whether permissive rights would be available on the path through the farm itself. Clerk to ask Cllr Billenness for details.

#### **4.Clerks Update**

- 4.1 Commuted Sums Village Hall Door Confirmed that the door has been paid for by Harrogate Borough Council including the VAT.
- 4.2 Acorn House Cllr Billenness confirmed that some of the industrial buildings have been removed.

RESOLVED that the council need to look closely at any applications that come in for the site regarding new industrial units. Need to be careful as to what will be erected. The council also have to remind planning if necessary that the land is potentially contaminated.

#### **4.3 Recent Flooding Events in the Parish and Highways**

Update from Cllr Gill regarding the flooding at New Row, it was noted that the owner of Pippin Cottage has lost her tenant due to the flooding and they had a meeting with Cllr Gill and Malcolm Smurthwaite from Highways. They had a look at the drains and it appears that Kendal Gardens drains go into the ditch as does the drainage from part of Marston Moor. This system it appears is antiquated and not fit for purpose in these periods of heavy rain.

The drains have been flushed to remove silt on the South side but there are three landowners involved in the drainage and the ditches on the North side need digging deeper.

RESOLVED that due to vulnerable people living in the cottages that this issue is resolved and the cottages have permanent protection. It is important to keep an eye on matters over heavy periods of rainfall and follow up the digging out of the ditches and keep in contact with Highways.

#### **5.Planning**

East House Lodge, Marston Road, Tockwith, North Yorkshire.

RESOLVED that the decision of No Objection to the application is ratified.

#### **6.Accounts**

- 6.1 To approve the setting of the Precept for Tockwith with Wilstrop Parish Council for the next financial year. Set Precept to £25,000.**

RESOLVED to agree the updated PRECEPT as shown below this sets a Precept of £25,000

**Parish Precept calculation 2013/2014**  
**Estimated Parish Expenditure 1.4.2013 to 31.3.2014**  
 (ROUNDED TO NEAREST POUND)

<b>Running expenses</b>					£
Grants, salaries, expenses					9,193.00
PWLB Loan repayment					7,584.00
Establishment charges					11,820.00
Audit fee/Insurance/Subscriptions					3,132.00
Provision to increase Parish funds					500.00
<b>GROSS EXPENDITURE</b>					<b>32,229.00</b>
Less: Parish Income (interest)					20.00
<b>NET EXPENDITURE</b>					<b>32,209.00</b>
Less: Use of Parish funds					7,209.07
(rounding adjustment)					
<b>Amount demanded (PRECEPT)</b>					<b>25,000.00</b>
For payment by HBC					

This sum will be paid in two equal instalments on 30th April and 30th September

[Based on the current electorate, (1300), this works out at £19.23 pa = 37p per week]  
 (though this will vary according to the rating band of individual properties)

RESOLVED that the Clerk send the Precept back to HBC by January 14th .

**6.2 To approve Clerks Salary and expenses.**

RESOLVED that salary and expenses are approved.

**7. Clerks Holiday Request**

RESOLVED that the Clerk be agreed holiday on 24th , 27th and 28th December 2012.

**8. Information Exchange**

The Clerk informed Councillors that some residents on Lucas Grove had contacted NYCC about the state of the footpath from Prince Rupert Drive through to Southfield Lane, as during the Winter it has become impassable due to the mud.

Clerk had asked residents to pass on contacts at NYCC.

NYCC have said that they can provide materials for residents to lay. Councillors agreed to put this item on the Agenda for discussion next month.

**18.Date of Next Meeting**

RESOLVED that the next Parish Council meeting will be held on Wednesday 16th December 2012.

**19.Exempt Matters**

None The chairman declared the meeting closed.