

**SUBJECT TO APPROVAL**

**TOCKWITH WITH WILSTROP PARISH COUNCIL**

**Minutes of a Council meeting held on Wednesday 20th February 2013 in Tockwith Church**

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

**In attendance:** Mrs H Algar (Clerk to the Council), Mrs A Unsworth (Chair village hall management committee), Cllr J Savage (District & County Cllr), PC Sue Brookes, 2 representatives from Environment Agency and 5 members of the public.

**Apologies:** Mr C Billenness

**13/1. Apologies for absence**

Cllr Waller opened the meeting

RESOLVED that all apologies were accepted for Councillors absent. Council agreed to move to item 13/28 Standing orders were suspended **1**

**3/28 Police Matters**

PC Sue Brookes gave a report the main points of which were ;

- Crime overall in the area is low.
- Residents should however remain aware as a car has been taken from a drive in Bickerton and a house in Copmanthorpe has also been broken into.
- Safer neighbourhood group the roadside matrix can be hired for 6 weeks at a time but only four appear to be earmarked for the North Yorkshire area. A number of Parish councils at the meeting wanted to discuss the viability of buying one of their own and sharing it between parishes. The cost of the units are approximately £1300.
- There were no questions from the public.

Standing orders were resumed

**13/21 Parish Council Vacancies** The Clerk confirmed there had been interest in the current councillor vacancy and that the interested party had been invited to the meeting.

RESOLVED that the vacancy remain open and continue to advertise. Council agreed to move to item 13/23

**13/23 Declarations of Interests** None were declared for items on the agenda.

**13/24 Environment Agency Representative**

Cllr Waller welcomed Louise Jackson and Alison Harrison from the Environment Agency

and suspended Standing Orders. They had been invited to give an update to a number of questions posed by councillors regarding the current situation regarding tyres on Tockwith Airfield.

- Has any checking and verification of tyres transported off the old air field been done by the EA.?

We have seized duty of care transfer notes from Nigel Moore/Simon Moore for all the tyres which have been taken to Credential. We contacted Credential themselves as soon as we found out that the tyres were to be taken there. They confirmed a contract had been set up and some payment had already been made. We will contact them shortly to request for their paperwork to check against that seized from the tenant. The number of tyres removed can be calculated from the weight of tyres deposited at Credential. We estimate approximately 100-120 per tonne. Approximately 400 tonnes had been removed from the site and therefore we can say approximately between 40,000 – 48,000 tyres were removed in January 2013.

- In what form has that checking and verification been done and how often?

We arranged to visit the site on the 17th January 2013 and again on the 11th February 2013. We also arranged a visit to the site on 8th November and invited Harrogate Borough Council. On all of these occasions we have checked the progress on site. During the November meeting the tenant explained that they would start removing the tyres in January 2013 when they could fund for the removal.

- We are concerned that the tyres have now been stockpiled in virtually one place, we believe this to be a serious safety hazard. Can action be taken to cause the tyres to be stored with suitable fire breaks in the event of fire?

We have been in contact with the fire and rescue for further guidance on this matter. We initially worked with the fire and rescue when serving our first notice to take steps to create fire breaks. We required Eco Terra Tyres to create fire breaks of at least 6 metres and to break the tyre pile into thirds. We believe there are just over one third of tyres on site and therefore we need to seek further advice on whether it would be reasonable for the tenant to create more fire breaks. A smaller pile will burn for less time. What the fire and rescue have said so far is that they were aware of water holding within the rim of the tyres and the likelihood of ignition is very unlikely. However, we have explained that the site is relatively unsecure and therefore we should also look at mitigation.

- Were a fire to break out in the tyres there would be absolute devastation environmentally stored as they are presently - what emergency plans are in force should a fire break out.

We contacted all known agencies within the local vicinity when discovering the large pile of tyres and we held multi-agency contingency meetings. We drafted a contingency plan between other agencies, but we realise this does require some updating. We should have contacted the parish council, I am not sure why we didn't and we can only apologise that we didn't and that in the future we will make sure that we do. We can show you relevant sections from the plan, but some sections of the plan are

categorised as 'PROTECT' and therefore we cannot show you the whole document. The information not being presented will include any passwords to access areas, any third part information and any other personal information. We can tell you that we do not have the drainage plans for the area, but we know it is a former airfield and well drained. There is an underground water storage tank located near the tyres. When the fire and rescue visited the site they pointed out that it was inaccessible. We have been told that this is now accessible. The contingency plan is more of a plan to outline key roles and responsibilities between agencies, outline the area and to provide some key information about the site and case history. The Fire and Rescue themselves may have a more detailed plan and they would be the lead responders if such an incident occurred.

- The PC is currently drawing up a Community Resilience Plan - if you have an emergency plan the PC needs to have sight of it in order to incorporate it in to it's own CRP  
Please see plan.

- What are the details of the joint working with HBC

We have arranged a number of meetings with the council to put pressure on both Eco Terra, the current occupier and letter correspondence to the land owner. We have also arranged a number of multi-agency meetings to ensure that we were all aware of the tyres and understand all key roles and responsibilities in the event of a fire. We made the council aware of the action which we were taking and the plan to serve notices. They too decided to serve notices. Roy Firth from Harrogate Borough Council was contacted in the first instance. We met Roy and Colin Hunter from North Yorkshire Fire and Rescue to discuss contingency planning and width of fire breaks between the tyres. Further meetings and telephone conversations took place after this meeting to discuss the contingency plan.

- The site operator is now in breach of the planning inspectors instructions in relation to the removal of the tyres – in addition to the offence of failing to comply with the Inspectors enforcement notice what other offences could the site operation/owner be committing which might be a concern to EA.

If the current occupier illegally stores/uses these tyres then we may consider enforcement action. However, according to our legal advisors, we are unable to serve notices on the deposit of the tyres unless we have evidence that the 'current' occupier or owner knowingly permitted the illegal deposit.

- What is the next step you intend to take?

The current occupier proposes to bale the tyres and use them as crash barriers along the track, near the entrance (Tockwith village side). We would only permit them to do this so long as they have planning permission to do this and they do not pose further risk/nuisance to the surrounding environment.

- How many tyres are still on site and how many have been taken off?  
Approx 35,000 on site and over 40,000 taken off site.

- The Environment agency promised to keep us posted as to the progress of matters

Cllr Waller thanked them for their responses and invited members of the public to ask questions. A member of the public asked if Mr Moore was signing his own dispatch notes for the tyres and also asked where the tyres are being weighed. The Agency responded that he was signing his own notes and that the tyres were being weighed where the tyres are being processed. The member of the public also asked As Mr Ketteridge failed to remove the tyres is the landowner responsible for removal? Bearing this in mind would the Environment Agency prosecute the current tenant?

The Environment Agency said that they cannot serve a section 59 notice on the current tenant as he was not the tenant when the tyres were dumped. He simply inherited the problem. If he uses them illegally however in the future then they will be able to pursue action. Cllr Waller also asked for an update on the BCB fire environmental damage and what is the status with respect to the local environment. The Environment Agency promised to consult with the officer in charge and send the response to the Clerk of the Council.

Standing Orders were resumed.

### **13/22 Internal Auditor Vacancy**

It was proposed that the council nominate and authorise an Audit sub-committee (comprising 3 members who are not signatories to the Parish Bank Accounts and the Chair (ex officio)) to make the appointment of a remunerated internal auditor until June 2014 based on applications received in response to recent enquiries by the Parish Clerk and the provision of satisfactory references.

RESOLVED that Cllr Clive Billenness, Cllr Lorraine Gill and Cllr Jules Thompson with Norman Waller ex officio make an Audit sub-committee to appoint a remunerated internal auditor.

### **13/25 Minutes**

Minutes of the January meeting were discussed.

RESOLVED that the minutes of the January 16th 2013 meeting be signed and dated as a true record. The chairman and council agreed to move to item 13/26 on the agenda Standing orders were suspended.

### **13/26 To receive information on Ongoing issues and decide further action where necessary.**

#### **13/26.1 Village Hall boiler Service**

The village hall water heater has failed it's annual service with a medium risk fault on the flu on the outside of the wall. The guard and flu are damaged and need to be addressed. The availability of hot water is also an issue it is running cold when it should be running hot at times. A new flu cannot be purchased for the water heater as the parts have been discontinued. The current boiler passed its annual service and is currently working but it was noted by the engineers who carried out the service that parts are notoriously difficult

to get hold of and are also very expensive should a problem occur. Cllrs discussed the quotes for replacement of the entire system which were obtained by the clerk last year. All three quotes had suggested different systems.

RESOLVED that the clerk contact Worcester Bosch and ask them what the best solution would be in their experience.

### **13/26.2 Tockwith Airfield Update**

It was discussed that in light of the Environment Agency's update and the passing of the deadline for the removal of the tyres on the airfield whether Harrogate Borough Council will take any action on the matter.

RESOLVED that the clerk write to Dave Allenby at HBC to ask what they intend to do now that the deadline has passed and to also enquire whether there had been any applications from Mr Moore to use the remaining tyres as acoustic barriers.

### **13/27 Public Questions, Comments or Representations.**

- A member of the public asked that if Cllr Billenness is to sit on the Audit Sub committee would he be withdrawing his audit requested on the Bert's garden questionnaire? The chair agreed to ask Cllr Billenness this question. If he will not revoke then Cllr Sue Corbett will stand in his place on the Audit Sub committee.
- They also asked if the volunteer policy and the brown bin were in place for Bert's garden as the grass will soon need some attention. Cllr Waller confirmed he was looking at the policy and the clerk confirmed that currently HBC are not selling brown bins but will enquire again.

Standing orders were resumed.

### **13/29 Village Hall**

The chairman suspended standing orders and the chair of the VHMC Mrs Unsworth gave a report the main points of which were;

- The Youth club are not splitting up yet into two groups.
- The Grant from Costcutter has come through towards the garden and the shop are going to keep the fund open to accumulate until the village hall are ready to cash it.
- VHMC want to meet with the clerk to discuss how Real Time PAYE will affect them.
- Upcoming event for fund raiser is a 1970's disco and quiz.

The chairman thanked Mrs Unsworth and resumed standing orders.

RESOLVED that the clerk meet up with the VHMC with respect to the cleaner.

### **13/30 Report by County and District Councillor.**

The chairman suspended standing orders and Cllr Savage gave a report the main points of which were;

- Flooding problems in Cowthorpe still had problems on Warfield lane and the site is now a mess littered with dug out and dumped soil. HBC are putting pressure on the landowner to make improvements.
- Pot holes from Angram to Cowthorpe a number of residents have emailed to say that they have been repaired and with the recent weather have now all come out again and need replacement.
- Kendal Gardens resurfacing should be done, Cllr Savage to check again that it has been completed.
- It has been agreed that there will be no rate rise this year but this means that next year there will be a potential increase of 5%. It is thought that this could lead to up to 1200 redundancies.
- No update on Skewkirk bridge.
- Allerton Incinerator is going for Judicial review all being well. NYWAG have agreed to have a barrister look at the case to see if they could win. To bear in mind however is that it could cost £100,000 even if they do win.
- Dog Fouling and horses on the newly laid footpath have been raised by resident's. Spoken to NYCC and sent some photographs of gates that prevent access by horses.

The chairman thanked Cllr Savage for his report and resumed standing orders.

### **13/31 Matters Requested by Councillors**

13/31.1 To discuss Dog fouling problems in the village of Tockwith Cllrs discussed that even if new bins were put in nobody could empty them.

RESOLVED that Cllr Pearce see if there are any alternative ways of disposal.

RESOLVED that the clerk write to the Dog Wardens for more stickers and advice on the matter.

RESOLVED that the clerk print and put out a number of leaflets in the local shop to remind people of the problem in the village.

13/31.2 To discuss horses using the newly laid footpath between Prince Rupert Drive and Southfield lane as an access route. Cllrs agreed that it was very disappointing that horses were using the newly laid path.

RESOLVED that the clerk write to NYCC and ask for some signs to remind people that it is a footpath.

13/31.3 To discuss how to progress the appointment of a new Grounds Maintenance

contractor. Councillors discussed the frequency and use of materials to do the job.

RESOLVED that the clerk organise that three grounds maintenance contractors meet with Cllr S Corbett to quote for the maintenance.

13/31.4 To discuss updating progress of community resilience plans for Tockwith and Cowthorpe. Cllr Waller asked Cllrs to look at the plan and fill in what they can so far for the Tockwith Plan. The Cowthorpe plan has been sent to the Cowthorpe forum who are happy to take complete the plan.

RESOLVED Cllr Waller will reissue the plan to all councillors and then a public meeting can be set up once the plan has more information in it.

RESOLVED that the clerk contact Ian Spiers at HBC to ask for them to stock the contents of the battle box at their expense.

13/31.5 To discuss supporting the Skipton- East Lancashire rail action partnership Cllr Waller discussed the letter received by all members of the council regarding the extension of the Skipton- East Lancashire railway. They had asked for the council to supply a letter of support. Cllrs discussed that this could potentially improve transport links from the North West.

RESOLVED that the clerk should write a letter of support to the Skipton- East Lancashire Rail action partnership on behalf of the Parish Council.

### **13/32 Clerks Update**

13/32.1 Allotments Clerk informed councillors that plot 8A/B at the church row allotments had become available. It was previously let to one tenant but with the length of the current allotment waiting list suggested that councillors consider splitting the plot back up into two parts.

RESOLVED that Cllrs agree to splitting large allotments up in future as they become available to give all resident's on the waiting list a better chance of renting an allotment.

RESOLVED that Clerk offer allotment 8 at the church row allotments to two tenants.

13/32.2 Highways Issues No progress has been made in this area this month.

RESOLVED that the clerk write to the head of highways and ask why we have not had a response.

13/32.3 Monitoring Forms Tockwith Airfield Clerk reported that nine or ten forms had been issued to residents and that a contact for sending the forms back had been ascertained. This was now an up and running system and the clerk has the contact details of those monitoring events.

**13/33 Planning** –

**Fairfax House, Southfield Lane, Tockwith York North Yorkshir Chamber hearing HBC** – erection of 24 Starter Units.

Cllr Waller informed the council that he had attended the chamber hearing and that the application had been refused on the grounds that there was not adequate drainage or evidence of use.

**13/34 Planning**

**13/34.1 The Lodge 61 Westfield Road Tockwith York North Yorkshire YO26 7PY**  
Approval of details under condition 4 (samples) of planning permission.

**13/34.2 19 Westfield Road Tockwith York North Yorkshire YO26 7PY** – erection of single storey extension – Grant planning subject to conditions.

**13/35 Accounts** 13/35.1 To approve Clerks Salary and expenses.

RESOLVED that the clerks salary and expenses are approved.

13/35.2 To ratify payment to Duncans heating and plumbing

RESOLVED that the payment is approved.

13/35.3 To ratify payment to New Wood Gardening of £592 for period 1.9.12 to 28.2.13

RESOLVED that the payment is approved.

13/35.4 To receive and approve a bank reconciliation.

**Bank balances  
(as 9 Jan 2013)**

Lloyds TSB Current account		<u>2,500.00</u>
Lloyds TSB deposit account	34,039.64	
less o/s cheques		
	828	3.81
	931	377.75

932 23.40

933 106.94

511.9

33,527.74

**36,027.74**

**receipts**

none 0 **36,027.74**

Loan (ring fenced for specific purposes) 20,469.00

Working Balance **15,558.74**

**Accounts to ratify/pay**

Mrs H Algar (Salary & Expenses) (353.16 + 7.16) £360.32

Service on Village hall boiler approx £145

Tockwith Church Room Hire approx ~200

purchase of training material approx ~110

clerk

New Wood Gardening	£592.00
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RM Contracts	£94.18
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RESOLVED that the council approve the bank reconciliation.

**13/36 Information Exchange by Councillors**

- The Clerk informed Councillors that a planning application had come in on the date of the meeting for a Bovine unit on Ness lane. Cllr Corbett agreed to take receipt of this application.
- Cllr Pearce asked where the Parish boundary was on Rudgate as there is a lot of litter in the fields on the side of the road from the Biffa lorries going past.
- Cllr Corbett asked if councillors knew who would be responsible for emptying the ditch on the sportsfield trust that borders the community field. The response was the it would be the sportsfield trust if it is on their land.
- The area of land on Southfield lane opposite school is becoming increasingly muddy could it be put on the agenda for next month.
- White lines on the bend on the road out of Tockwith (Fleet lane) are faint and hardly there could be put on the agenda for next month.

**13/37 Date of Next Meeting**

RESOLVED that the next Parish Council meeting will be held on Wednesday 20th March 2013.

**13/38 Exempt Matters**

None

The chairman declared the meeting closed.