

EARSWICK PARISH COUNCIL

Minutes of the meeting of Earswick Parish Council, held in Earswick Village Hall, on Monday 2nd December 2013.

Councillors Present: D Jones
P Leveson
S Wiseman
K Pace

Parish Clerk: J Fisher

Members of the Public Present:- I Jones, F Jones, S Winspear, J Jarrod, N Earnshaw, N Eden, K Beamish, S Yeowart, J Sharpe, B A Woodward.

1. Apologies for Absence

Cllr Offler

2. Declarations of Interest

None.

Members of the Public.

Some residents felt the Public Open Space (POS) between the rear of properties in Earswick Chase and The Village should be open for all to enjoy.

One resident asked who in the City of York Council (CYC) had made it a requirement for the POS to be opened up. The Parish Council (PC) explained that when the CYC gave planning approval for the Fosslands development the plans showed this land as public open space. The PC is therefore obliged to open this land to comply with these plans and it was only closed originally because of the presence of a badger sett.

A resident asked why a risk assessment of the POS was not shown to the CYC. The PC explained that this land is not CYC land and so there is no requirement to show them the assessment.

Another resident asked if the PC could contact the neighbourhood community police officer (PCSO 5637 M J Hannon - Email michael.hannon@northyorkshire.pnn.police.uk; Tel: 101 and ask for 'collar number 5637') and ask him about the impact on the security of properties adjoining the POS if it was opened. Members of the PC had spoken to him that very morning and he felt Earswick has one of the lowest crime rates in York, with very few break-ins, so the risks were low. He is happy for residents to contact him to discuss security.

Residents expressed their concerns regarding the security of their properties. While the PC acknowledged their concerns they reminded residents that the security of their properties was their own responsibility.

The PC reminded those at the meeting that all Earswick residents pay the precept and all should have the opportunity to enjoy all the public open spaces in Earswick.

The PC reported that the existing gate and fence across the POS has led some residents to believe this land was 'locked off'. Also, some residents had asked why the PC was considering spending precept monies on a new fence, gate, etc and not just opening up the land.

Some residents had queried why this meeting was held at 1pm when many may be at work. The PC chose to hold the meeting at this time so that members of the public, or Councillors, could make a site visit during the meeting, in daylight hours, if the need arose. The PC asked the public if anyone wanted to visit the land during the meeting but all declined.

The PC explained that this meeting had been called to discuss the options on accessibility to the POS.

3. (i) Risk Assessment of the Enclosed Public Open Space (POS)

Members of the PC visited the POS on 21st November 2013 to consider any risks. The risk assessment is attached to these minutes at appendix A.

The PC reported that the POS is already included in the PC insurance. No health and safety issues have been reported to date.

There is a small, shallow ditch on the boundary of the POS but the PC felt it posed no more risk than wading along the River Foss. The PC considered erecting a small fence along the length of the ditch, similar to the one around the pond, but as the risk was low it was felt there was no need.

There is currently one unoccupied beehive in the copse of trees in the POS. The bees were present throughout the summer with no problems reported. The tape that cordoned off the beehives is now damaged and the bees have been moved for the winter. If they are placed there again next year, the PC would require the area to be cordoned off with tape again and warning notices erected. Three beehives had been positioned in the flower meadow for some time with no problems reported so the PC consider these a low risk in the POS.

There is a stand pipe just behind the fence to the POS. Removing the fence would expose this pipe. The PC considered fencing it off but as the pipe was a remnant of previous farmland the PC agreed it could be disconnected and removed.

The existing fence and gate are over ten years old. In their current condition the PC feel they pose a health and safety risk.

(ii) Options to Open the POS

The PC considered the four options for accessing the POS:

- a. Removing the existing fencing and gate;
- b. Leaving the existing fencing and gate, and inserting a stile;
- c. Replacing the existing fencing and gate with a new fence, gate and stile in the same location;
- d. Removing the existing fence, gate and stile and installing a new fence, gate and stile located further into the EOS.

The PC voted unanimously to adopt option a) – removal of the fence and gate.

The PC again acknowledged residents' concerns about security and so asked the Clerk to write to all the residents who back onto the POS to tell them the fence at the Scented Garden end of the POS will be removed in March 2014,

and to give them the contact details of PCSO M J Hannon. The PC felt this would give residents time to improve their security arrangements if required.

Action: JF

The PC will include a note in the next Newsletter to remind residents they should not put a gate into their fences adjoining public open spaces as this could be deemed as trespassing.

The meeting closed at 2.15pm

Joanne Fisher
Parish Clerk

Signed.....

Appendix A

Risk Assessment : Enclosed Open Space, Earswick Village

Background:

The enclosed open space is an area of public open space of approximately one acre located between the rear of Earswick Chase and The Village. It is currently made up of grassland with a few trees and shrubs. There is a ditch running east to west along its boundary with the Village.

For most of the year the land is fairly waterlogged and access has been limited but not prohibited to the public by means of a fence and shrubbery at the Strensall Road end and a fence and gates at the Scented Garden end. The gates are unlocked but have been tied with rope to prevent them swinging open.

This area of land is designated as public open space and is already covered by the Parish Council's Public Liability Insurance.

No health and safety issues regarding this area of land have ever been reported to the Parish Council.

It is proposed to remove the fence and gates at the Scented Garden end to allow unrestricted access to the general public.

The recommendations of the Risk Assessment must be implemented before any further action is taken.

Risk Assessment:

For the purpose of the Parish Council Risk Assessments the following definitions are to be used:

High - could occur quite easily.

Medium - could occur sometimes.

Low - unlikely, although conceivable.

Hazard	Degree of potential injury	Probability of accident happening	Risk Rating	Control measures	Risk Rating (after implementing control measures)
Shallow drainage ditch	Potential to slip or fall into ditch resulting in possible minor injury	Possible	Medium	Construct low level fence or erect warning signs	Low
Beehive(s)	Beehive could be knocked over by persons or dogs resulting in bee stings	Possible	Medium	Tape off immediate area within vicinity of beehives. Erect warning notices	Low
Standpipe	Visible above ground. Potential to cause trip or fall resulting in possible minor injury	Unlikely	Low	Remove standpipe. If not possible fence off area	Low
Fence & Gates	Gates are tied but not locked. Tempting for person(s) to try to climb over resulting in possible minor injury	Possible	Medium	Remove gates & fence	Low