

## **EARSWICK PARISH COUNCIL**

Minutes of the meeting of Earswick Parish Council, held in Earswick Village Hall on Monday 15<sup>th</sup> July 2013.

**Councillors Present:**  
D Jones  
S Wiseman  
P Leveson  
G Offler

**Parish Clerk:** J Fisher

**Members of the Public Present:-** I Jones, J McTurk, J Hannon PCSO5637

### **1. Apologies for Absence**

Cllr Pace, Cllr Doughty.

### **2. Declarations of Interest**

Cllr Wiseman declared a non-pecuniary interest in item 18.

### **3. Minutes of Previous Meeting.**

Minutes for the Parish Council Meetings on 17<sup>th</sup> June and 25<sup>th</sup> June 2013 were approved as accurate records by the Councillors and signed.

### **4. Members of the Public.**

Comments were received from members of the public on the following issues:-

The hedge has been removed from the front of 18 The Village and a query was raised as to whether or not this was approved in the planning application. The Clerk will check.

**Action: JF**

PCSO Hannon reported that John Stewart PC 586 Beat Manager for North York ([John\\_Stewart@northyorkshire.pnn.police.uk](mailto:John_Stewart@northyorkshire.pnn.police.uk)) has replaced Lailah Nijaila. He also reported there had been one theft of a mountain bike, and one report of youths drinking, in the last month.

### **5. Ward Councillor's Report**

None

### **6. Clerk's Report**

a. The ongoing action tracker was reviewed and the following points were made:-

- i. Microsoft Office Professional 2013 software has been purchased and installed on the PC laptop. A 'show-how' course on the new software, for the Clerk, is to follow.
- ii. The planning application for 12 Whitelands has been approved.
- iii. Richard Hoyland, Asst Rights of Way Officer, confirmed funding approval for repairing the Landing Lane bridge has been given and repairs should be imminent.
- iv. Work on the Earswick Parish Guide is continuing; **Action: PL/SW**
- v. The Clerk had spoken to RBS on 3/7 and 13/7 regarding the addition of Cllr Offler to the signatory list. The forms have been passed back & forth

between Central Office and the York branch as there are 'complications because of the way the accounts were set up. The Clerk to pursue.

**Action: JF**

- vi. Landscaping around the pond area has been completed by LJD Construction.
- vii. White triangles have been painted by Premier Roadmarkings on the Lock House Lane (LHL) speed hump.
- viii. Mr Whittaker has not yet fixed the goal posts due to a family crisis - he will do asap.
- ix. The secure locker for the Scented Garden (SG) shed is due for delivery to Mr Tate w/e 30/7.
- x. As at 13/7, Strensall PC still has no further information regarding the RoSPA training.
- xi. Lewis Tree Surgery has resumed work on removing dangerous trees from the river bank.
- xii. The Clerk has emailed YLCA to find out more information regarding the external auditor's costs. The Clerk will look into the title deeds for the Village Hall.  
**Action: JF**
- xiii. The Clerk has emailed Mrs J Cook to see if Village Hall Committee minutes have details of the insurance cost split between the Parish Council and the Village Hall Committee.
- xiv. Beekeeper Mr Strong has passed copies of his beekeeping certificate for 2012/13 to the Clerk. The Clerk will find out when this expires. Mr Strong has met Cllr Pace to agree positioning of beehives behind the SG. He will cordon off the area and put up a sign indicating the presence of bees.  
**Action: JF**
- xv. Tim Goodall from the planning Dept has informed the PC that the steel chimneys at 18 The Village will be reduced by approx 50% and painted black. He also said approx 100 tonnes of soil had been removed from the rear garden to reduce the height. The Clerk was asked to look at the approval notice to see if the PC is due any Section 106 money.  
**Action: JF**
- xvi. Cllr Wiseman agreed to contact James Stephenson to ask if the vegetation on the corner of Willow Grove could be trimmed.  
**Action: SW**
- xvii. The information Commissioners Office has accepted the PC's direct debit form.
- xviii. Cllr Jones met with Mr Hill to discuss priorities over which open areas should be cut and weed sprayed. It was agreed no further action was required.
- xix. It was reported that Mr Hill had sprayed the hogweed in Diamond Wood for a second time and will do a third spray.

b. The following pre authorised payments have been made since the last Parish Council meeting:-

- Mrs Fisher's salary for June;
- £24 to British Gas;
- £956.77 to Zurich Municipal Insurance;
- £7.09 to Yorkshire Water;
- £150 to Mr Whittaker for removal of the stepping stones;
- £90 to Mr Whittaker for installation of the arbours;
- £60 to Mr Whittaker for dismantling gates, posts and fencing at the former BMX track;
- £113.75 to the Earswick Village Hall Fund for PC hall rental
- £768 to LJD Construction Services Ltd for landscaping and trunk removal at pond area;
- £48 to Mr A. Hill for grass cutting river footpath in May;
- £36 to Mr Hill for weedkilling pond area;
- £744 to Mr A. Hill for maintenance contract in May;
- £48 to Mr A. Hill for grass cutting river footpath in June;
- £744 to Mr A. Hill for maintenance contract in June;
- £340 to Mrs Fisher reimbursement of Microsoft Office Software costs;
- £104.40 to Action Storage Systems Ltd for secure cupboard;
- £86 to G Lea for noticeboard repairs;
- £46.50 to Advance Fire Services
- £180 to Premier Roadmarkings Ltd for painting speed hump triangles;
- £18 to River Foss Society.

The Parish Council has received £12 rent and £13.02 underspend refund for the arbours from the SG Committee. The PC has also received £0.58 interest on the tennis account.

The following payments were authorised:

£11.99 to G Ofler for tape to secure dangerous tree site;

£11.55 to J Fisher for stationery;

£8.40 to J Fisher for stationery;

£7.99 to J Fisher for stationery.

## **7. Planning Applications**

Planning applications 13/00876/FUL 12 Whitelands YO32 9FX (two storey rear and single storey front and rear extensions (revised scheme) and 13/01599/FUL 8 The Village (Single Storey rear extension and first floor extension with dormers to front and rear) were approved by the City of York Council (CYC).

## **8. Foss Bank Kennels**

Mr and Mrs Royle presented a report to the Parish Council (appendix A) concerning the current threat of Court action against Foss Bank Kennels, with a potential £20,000 fine, from the Environmental Protection Unit (EPU). This is due to complaints from residents regarding the level of noise from the dogs. Despite Mr and Mrs Royle's attempts to curb the noise levels by reducing kennel capacity by over 50% and relinquishing a CYC stray dog contract the Court action still stands. Consequently, they are going to apply to the CYC to have their land lifted out of

greenbelt restrictions for development and asked the PC for its support. The PC agreed to write a letter supporting the lifting of greenbelt restrictions on Foss Bank Farm with the proviso that the land be used for residential use only, and for any development to be in keeping with the rest of Earswick.

**Action: JF**

#### **9. Monthly Equipment Check**

No action required.

#### **10. Playground Facilities for Older Children**

The PC discussed the play area at Orchard Park and decided it did not compare with the play areas in Earswick because it was fenced off and locked at night. Earswick play areas are unlockable, isolated and open to abuse. The PC agreed to wait for any ideas from residents.

The possibility of white-lining the football field more regularly was discussed and it was agreed this would be considered when the maintenance contract for open space is up for renewal.

**Action:JF**

Cllr Jones agreed to ask Mr Hill to do the white-lining asap.

**Action: DJ**

#### **11. Removal of Moles From Sports Field**

Two quotes had been obtained from Pestforce (£650 initial mole clearance and £620 annual contract) and Huntcatchkill (£140 initial mole clearance and £350 annual contract). The PC approved the Huntcatchkill quotes for initial clearance and annual contract.

It was agreed Huntcatchkill would also be asked to quote for mole removal from the area to the right of the Village Hall car park.

**Action:JF**

#### **12. Lawn Mower for the Scented Garden Committee**

A grant of £214.98 to the Scented Garden Committee towards the purchase of a lawn mower was approved.

#### **13. Parking on Pavements in Earswick**

It was agreed to include an item in the next Newsletter reminding people that it is illegal to park on pavements. The Clerk was asked to contact the Parking Enforcement officers at the CYC to ask if they would come to Earswick and identify any offenders.

**Action:JF/DJ**

#### **14. Treatment of grass on speed hump at Lock House Lane Car Park**

No further action was agreed.

#### **15. Joint Annual Meeting of Yorkshire Local Council Assn (YLCA)**

The Clerk to notify YLCA no Councillors will be attending.

**Action: JF**

#### **16. 2015 Parish Council Elections**

The PC agreed to include an item in the next Newsletter.

**Action:DJ**

#### **17. Items For Information**

Open space maintenance contracts, and how the PC can ban lorries over a certain size, to be included on the next Agenda.

**Action:JF**

Cllr Offler attended the Burial Board AGM. The current Board members were re-elected. A different Co. is being used for cemetery maintenance and the Board is producing a financial risk assessment for the PC to consider.

Cllr Wiseman reported that the Foss Internal Drainage Board (FIDB) is continuing with the piling of the river bank. There is an issue regarding a culvert and Cllr Wiseman asked the Clerk to look through the files to see if there is a map which would indicate who owns the culvert on the 'nature reserve'.

**Action: JF**

### **18. Local Plan**

Cllr Wiseman left the meeting before this item was discussed.

Cllr Leveson attended the YLCA meeting regarding the Local Plan. She reported that the CYC is not going to improve the roads around Earswick despite the extra housing proposed in Strensall and Clifton Moor, and the Monks Cross development. There were not going to be any extra schools and the hospital, medical service and utility providers had not been consulted.

The PC felt the projected 16.000 additional jobs were dubious, particularly as the central 'teardrop area' had not gained funding. The PC did not feel the area behind the Towthorpe refuse tip, proposed for a wind farm, met the necessary criteria.

The PC agreed to draft a letter to the CYC objecting to the Local Plan on the aforementioned points.

**Action: PL/JF**

The meeting closed at 9.10pm

Joanne Fisher  
Parish Clerk

Signed.....

Date.....

REPORT FOR PARISH COUNCIL.

Good evening ladies and gentlemen, by way of an introduction I am Steve Royle and this is my wife Andrea and we live at Foss Bank Farm. From our home address, we conduct our business which is a boarding kennels, cattery and a grooming parlour all situated to the rear of our family home.

In 2000, 2001 and 2008 the Environmental Protection Unit (EPU) received complaints of noise from residents of Earswick Chase, all complaints of which were documented by the EPU. Planning permission for the boarding kennels was originally granted way back in 1997, long before Earswick Chase or Garden Village were ever built.

In 2009 Foss Bank Farm submitted outline planning for the redevelopment of the kennels into 3 detached dwellings, which if passed, would have removed the noise nuisance we were apparently causing. EPU did not support our application but instead told the planning department that there was no noise nuisance at that particular time. This was one reason why planning was subsequently refused. As an aside the planning committee did state that the site was sustainable as a residential site!

In 2010 and 2011 further complaints came from an individual on Earswick Chase and on 1 September 2011 we were served with a noise abatement notice and the threat that goes with it of Court action and a potential £20,000 fine.

On 9 April and 11 June of this year, we received letters from Elizabeth Macdonald an EPU officer, which outline times and dates that dogs have been barking. In both letters Ms Macdonald reiterates that a noise abatement notice is in force and if breached will constitute a criminal offence and York Council will strongly consider prosecution in the Magistrates Court with a fine of up to £20,000.

During the last 10 years we have reduced our capacity at the kennels from 52 dogs to 20 dogs and relinquished a very lucrative York City Council Stray Dog Contract (worth in excess of £20,000 per annum,) in order to reduce any noise nuisance to residents of Earswick Chase. Sadly this does not seem enough to satisfy either the resident or Ms Macdonald in EPU. We presently have 8 large kennels standing idle, as to fill these would undoubtedly create more noise, however if we did fill those kennels, which we could as we are presently turning potential customers away, those kennels alone would gross £ 170 per day! It does not take a mathematician to work out that we are losing money hand over fist due to this noise abatement order and we are facing the real prospect of bankruptcy. Having the threat of court action hanging over me and my law abiding family is not something I relish or can cope with. It is with all that in mind that I respectfully ask for your support in the following application;

I intend to apply to the City of York Council to request a change to the green belt boundary as part of the Local Development Framework (LDF.) Our site has been previously considered, but as part of the Site Selection Process it was not taken forward for residential use. The reason given for this, was the Foss Bank Farm site scored below the Councils minimum score for accessibility to services and facilities, even though it sits right next to 2 relatively new housing developments, all with the same services and facilities! Our site did however meet the minimum required score for employment uses. I have been invited to comment, using the Consultations Comments Form, why I disagree with the decision and also to make reference to our Special Measures which I outlined earlier in relation to the noise abatement order.

As you are undoubtedly aware, the LDF is still in a period of consultation and boundaries are being changed all the time. An example of this is the site to the south of Greystones Close at Haxby (Site H37,) originally not deemed suitable for residential development, but subsequently allowed. This site is very similar to ours in its location and size; It sits on the edge of an existing residential area and our site would do exactly the same

with Garden Village and Earswick Chase.

I will of course be outlining in greater detail in my report to the LDF, the issues surrounding our Special Measures, the criteria that is presently used in the scoring matrix by the Council, the sustainability of our site which has already been deemed suitable by the planning committee at our earlier planning application in 2009 and the precedent which I believe has been set in Haxby site H37.

Today I am respectfully asking for the support of yourselves, the Parish Council, in my application to have the site at Foss Bank Farm lifted from the green belt for the reasons I have discussed. If you agree and are willing to support us, could I ask that it be in the format of a letter which I could include in my subsequent report to the City of York Local Plan.

I have documents and maps with me should you wish to view them and both Andrea and myself will gladly answer any questions you may have of us.

Thank you for allowing us to speak today.