

WEST AYTON PARISH COUNCIL

Clerk: Mrs B Williamson, High Hall, Yedmandale Road, West Ayton, Scarborough, YO13 9JP.

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Minutes of Ordinary Council meeting held at DVB on Monday 14th October 2019 @ 7.00pm.

Notice of the meeting – Public notice 1972 of the meeting has been given in accordance with schedule 12 Para 10 (2) of the Government Act.

Present: Mrs B Williamson (Clerk). Cllr. S Garbutt, Cllr. C Cussons, Cllr. S Ogilvy, Cllr. M Dunn, Cllr. L Combes. County & Borough Cllr. D Jeffels, Borough Cllr. H Phillips (part meeting), Police representative Alan Skillbeck (part meeting). Five members of the public (3 for part of the meeting).

Apologies: Cllr P Durkin, Cllr. M Almond **309/19**

Declarations of Interest: **310/19**

Cllr. Cussons, Boardwalk & Forge Valley application – land user.

To approve minutes of the previous meeting: **311/19**

Minutes of the Extra Ordinary Meeting held on 2nd September circulated & assumed as read prior to the meeting.

Page 58 & page 59. Agreed. **RESOLVED:** Proposed to accept Cllr. Ogilvy, seconded Cllr. Combes.

Minutes of the meeting held on 9th September 2019 circulated to all prior to the meeting & assumed to be read.

Pages 60, 62 & 63 accepted, amendment to spelling page 61 **RESOLVED:** – Proposed to accept by Cllr. Combes, seconded Cllr. Ogilvy. Signed by Cllr. Garbutt.

Public Forum: **312/19**

Increased dog fouling on pavements in Hewley Drive areas of continued concern. Dog owners have allowed their dogs to enter gardens & foul areas. It has become an increased problem with the new housing development.

Continued complaints related to river Derwent, foul smell emitting from the area effecting residents. Flooding & water levels of continued concern.

Boundary area between Station Yard and properties on Hewley Drive is in a poor state of repair. Gaps have appeared in the boundary which is NYCC responsibility & is of concern due to H & S issues.

Concerns of residents speeding in Morley Drive. A red car – P11? XJ doing this on a regular basis.

Action on items raised in the Public Forum: **313/19**

Clerk has requested additional dog bins & will follow up. Cllr Jeffels has also taken similar action.

Boundary issues in Station Yard will be reported to NYCC & Cllr. Jeffels.

Cllr. Phillips will request the dog warden to patrol the area in the morning & later in the day to monitor the situation. She suggested residents take photographs of offenders & forward to her & she will take appropriate action.

Clerk will seek a date for a presentation from Environment Agency & Yorkshire Water. East Ayton Parish Council will be contacted seeing if they would like to be involved.

Police taken note of speeding issue & will follow up.

REPORTS:

314/19

Police – Report circulated prior to meeting.

Incidents include RTC in East Ayton, Bowling Club broken into, vehicle seized in West Ayton having no insurance. Pub fracas & garden wall hit.

This week a spate of shed burglaries has occurred & this type of incident is likely to increase. Residents requested to be more vigilant in securing property & report any incidents. A black Canyon Nerve Mountain bike has been stolen with a value of £1400. Serial number M1711B10N0176. Report any information.

Statistics demonstrate an increase of telephone fraud. HMRC & TV license prosecutions being used to gain bank information from individuals. Operation Cracker will come into effect shortly working closely with other agencies. Road shows have been arranged at Irton & Dean Garden Centres, Morrisons & Tesco with an emphasis on fraud.

Borough Cllr. Phillips:

No new rural initiatives. Dealing with Planning & enforcement issues. Raising & dealing with issues of residents & issues in the local constituency.

£17000 is available to spend on recreational facilities & had been informed that WAPC no longer wished for a play area in Pearson Garth. Cllr. Garbutt stated this was not the case, the Parish Council had been informed the play surface & equipment was no longer fit for purpose. New equipment / surface would be welcomed as would play equipment or outdoor gym equipment for older residents to use. Cllr. Phillips will explore this further & report back.

Borough & County Cllr. Jeffels:

Reports circulated prior to the meeting.

Continued & ongoing liaison with Yorkshire Water & Environment Agency related to sewage & river levels. Fully supportive of presentation. Requested an answer related to the control of the regulation of the swallow holes.

Two further road schemes to be announced shortly.

Sirius Minerals seeking financial investment in order to proceed in the next few months.

Filey Beach has been voted one of the top beaches in the world. SBC are hoping to benefit from £250 million government investment scheme.

Cllrs. Dunn, Ogilvy & local resident volunteered to assist Cllr. Jeffels with weed clearing the central reservation on Saturday 26th October @ 10.00am. Cllr. Jeffels will arrange loan of high visibility jackets.

Clerks Report:

315/19

Meeting required for siting of memorial bench. A plinth will be required.

WI will be planting an oak memorial tree in Tenter Garth to mark their centenary. Site meeting arranged.

Skill Mill would be interested in tendering for maintenance of shrub beds next year. Cllr. Almond will be meeting with manager to discuss some seasonal maintenance work. Clearing of Beech Lane, footpath on Garth End road, & clearing of one shrub bed suggested, all in agreement, Cllr. Almond will be requested to gain a quote for the work.

Future grass cutting tenders will need to be considered next month. Cllr. Almond does not wish to be responsible for overseeing the contractor next year.

Cllr. Almond has requested quotes for the replacement of the flower tubs.

To mark former Councillor Mary Raws' valuable contribution to West Ayton Parish Council and the community it has been suggested that one of the new planters be dedicated to her memory with an appropriate plaque and dedication event. All in agreement.

Dog fouling reported.

Request received from EAPC to work on joint projects. All in agreement & Clerk will contact in relation to joint presentation.

Hutton Buscel contacted re intentions of Farside Trust

Wykeham Estate contacted re signatories for Farside Trust.

Community Grant Applications need to be decided upon. Details circulated. All agreed. Clerk will publicise & contact former applicants. Closing date 6th November.

Engineer from NYCC been on Linden Homes site & states issues related to flooding, gully drainage will be rectified.

Cllrs. Ogilvy & Combes raised the possibility of monitoring residents concerns via Social Media. Discussed. Clerk explained most concerns reported to her were via telephone or at the door. Agreement that Social Media would not be used for this.

Finance Report:

316/19

Accounts presented for approval amount to a total of £1284.30.

Income - £10635.81. This includes the 2nd instalments from SBC of Model Agreement & Parish Precept & refund from a training course. A very generous donation of £1000 has been received from a local resident towards the purchase, installation & maintenance of the defibrillator. Letter of thanks sent.

Proposed to accept – Cllr. Ogilvy seconded Cllr. Cussons. Signed by Cllr. Garbutt.

Review of asset Register:

317/19

Circulated with addition of Weir Island & defibrillator.

RESOLVED: Proposed to accept – Cllr. Ogilvy seconded Cllr. Cussons.

Review of Standing Orders:

318/19

Copies circulated. RESOLVED: Agreed to carry forward to next meeting with full Council present. Proposed - Cllr. Garbutt, seconded Cllr Dunn. All in agreement.

Review of Financial Regulations:

319/19

Copies circulated. Resolved: Agreed to carry forward to next meeting with full Council present. Proposed Cllr. Garbutt, seconded Cllr. Cussons.

Planning:

320/19

Two planning applications received & discussed at length. Summary of response & points outlined below.

NYMNPA Planning Application NYM/2019/0444/FL - Amended

Forge Valley Woods NNR, Seavegate, East Ayton

Consultee: West Ayton Parish Council

Date of response: 14/10/2019 Draft for discussion

Additional information for the Planning Committee on the amended application

1. WAPC recognise and welcome the removal of the proposed new car park opposite Wallis Quarry to protect the ancient woodland site in the valley floor.

2. WAPC also welcome the improved parking areas at Wallis Quarry and Seavegate Gill.

However, many of WAPC's original objections have not been acknowledged or addressed, namely:

3. There are no mitigation measures to reduce the substantial soil erosion caused by access on the western riverbank alongside the boardwalk (20% affected) which has resulted in siltation in the river and undercutting of the boardwalk in several places. This is not natural erosion.

4. There is no provision for the protection of the veteran chestnut tree or restoration of the eroded area at the south end of Seavegate.

5. There appear to be no plans within the application to restore and make safe the linking roadside footpaths along Seavegate putting users at risk next to a 60 mph speed limit highway.

6. There is no litter bin provision at Seavegate Gill, the bins near to the bridge are unlikely to be emptied as they are too far from the road to be seen and there is no agreement on who will be responsible for emptying the bins. The issue of littering in the meadows at the south end of the boardwalk which puts livestock at risk has also not been addressed.

New concerns arising from the amended application:

7. Although the new plan states that no trees will be removed from the bridge site and the crane to lift the bridge will sit on the new footpaths, it is either going to be a very small crane or there will be damage to the trees getting it into place.

8. The amended site plan B for the new bridge area has a note which says "replace woodland herb/understorey species". This is not appropriate as it will destroy the Ancient Woodland indicator ground flora species which are more important than the existing trees. Only cutting back the shrub layer should be approved.

Summary of comments

WAPC believe that providing a second footbridge will result in increased riverbank damage which goes against the SSSI and Water Framework legislation and the National Park's Core Policy C which states "the quality and diversity of the natural environment will be conserved and enhanced. Protected sites and species will be afforded the highest level of protection with priority also given to local aims and targets for the natural environment". However, if this planning application is approved, it should be on condition that a constructive plan of riverbank repair and ongoing maintenance is agreed and adopted. There is no evidence of previous maintenance apart from boardwalk repairs.

Agricultural landowners are legally required to protect watercourses from soil erosion (The Reduction & Prevention of Agricultural Diffuse Pollution (England) Regulations 2018). Farmers upstream are doing their best to prevent soil erosion into the River Derwent. Why is there no protection in the Forge Valley SSSI and NNR within the National Park?

WAPC would encourage the Park Authority and Scarborough Borough Council to take the opportunity, when work is underway in the valley, to repair the riverbanks at the same time so that the sensitive areas adjacent to the boardwalk are protected when the path is reopened, and ongoing maintenance will then be more manageable. Various soft engineering techniques such as pinned tree trunks, pre-planted coir rolls and coir netting have been used successfully on the River Hull Headwaters SSSI.

If mitigation measures are not put in place, the degradation of this special place will continue to the detriment of the environment, the protected habitats, plant species, wildlife, water quality and visitor enjoyment.

RESOLVED: Proposed to accept as WAPC response to the application - Cllr. Garbutt, seconded Cllr. Combes. All in agreement. Cllr. Ogilvy will represent WAPC & deal with response.

Ref: NYM/2019/0510/FL – 5 The Mount, Mill Lane, West Ayton

Site meeting held 11th September with Councillors present, neighbours' comments taken into consideration.

Update on comments on the NYMNPA website

1. The application is not on the agenda of the 17th October NYM planning meeting.
2. Objections have been received by the Planning office from neighbours at 1, 2 and 4 the Mount, the Cottage and 15 Mill Lane and 1 Castle Rise.
3. The main objections raised are:
 - right of access over the Back Lane not approved by individual landowners,
 - maintenance of the Back Lane which has a soft gravel surface,
 - potential damage to the sewers,
 - surface water flooding into garages,
 - increased traffic on the Lane,
 - poor access onto Yedmandale Road,

- loss of privacy and the wildlife corridor along the Lane,
- increased pressure on parking in Mill Lane and Yedmandale Road leading to congestion and reduced accessibility for large vehicles (e.g. refuse lorries),
- detrimental effect on the character of the area,
- over-developed site,
- inappropriate design,
- intrusive development very close to a neighbouring property,
- accessibility down the Back Lane for fire service appliances
- depreciation of the value of existing properties on the Mount.

4. Objections have also been received from two consultees in addition to the WAPC objection. These include:

Building Conservation Officer of NYMNP comments:

- an overly elaborate and cluttered exterior;
- a large building which does not make a positive contribution to the significance of the heritage assets in the area and is not subservient to the surrounding buildings;
- the cumulative effect of the large dormer windows in the west elevation, the white render, the six rooflights and two solar pipes would be an incongruous addition to the setting of the Conservation Area, causing harm to its significance;
- these details do not pay special regard for the special interest of the Conservation Area with no public benefits to justify the harm identified.

NYCC Highway Authority comments – amended (approval was given originally):

- planning permission refused as the Planning Authority considers that in the absence of adequate on-site parking space, the proposed and existing development would be likely to result in vehicles being parked outside the site on the County Highway to the detriment of the free flow of traffic and road safety.

Discussed a length & all in agreement. **RESOLVED:** Proposed to accept as WAPC response to the application by Cllr. Cussons, seconded Cllr. Combes. All in agreement.

Defibrillator & 106 money:

321/19

Money is available from 106 funding. This will be used to install a notice board on the rear wall with an enlarged copy of the Parish Map. In addition, relevant contact details of organisation will be displayed. Finer details will be made at next meeting.

Wykeham 106 update:

322/19

Cllr. Cussons showed the draft of the History Trail, this will be displayed at the bus shelter. Further maps will highlight specifics related to Forge Valley & Health route. All will be displayed in West Ayton. Cllr. Cussons will be attending the next meeting with Cllr. Almond.

Station House & Yard:

323/19

Some areas have been cleared. Complaints still being received related to saplings on boundary areas. Cllr. Jeffels & clerk will follow up.

VAS:

324/19

Costings received & circulated. Clerk will contact EAPC, Hutton Buscel & Seamer Parish Council about the possibility of sharing costs.

Trees on Mill Lane:

325/19

Details of possible new trees circulated. To be discussed further with Cllr. Almond & then a site visit before any decisions are made. Carried forward to next agenda.

Thomas Farside Trust:

326/19

Clerk contacted HBPC for clarification of intentions & formally confirm they do not wish to participate. Email received confirming they do not wish to be involved. Notified of £300 in fund which they had contributed to. Request also made to Wykeham Estate for a new signatory etc. No responses received.

Two applications received.

Date & Time of Next Meeting:

327

/19

MONDAY 11TH NOVEMBER 2019 @ 7.00PM

Meeting closed @ 9.30