

**Austwick Parish Council
Meeting 3 2021-2022 – Monday 5th July 2021
Minutes**

Present: Cllrs Peter Goold (Chairman), Barbara Tibbatts, David Dewhirst, Ian Smith and Sarah Wiltshire.

In attendance: Parish Clerk Marijke Hill and five members of the public.

The Parish Council allocated a reasonable period of time at the start of the meeting to allow registered electors the opportunity to ask questions and / or make statements that relate to the work of the Council.

Public Participation:

All members of the public participated at items 3.6a, 3.6b, and 3.6c various planning matters.

3.1 Apologies for absence: District Cllr Lis

3.2 Code of Conduct and Declaration of Interests.

- a. Cllr Tibbatts **recorded** a Disclosable Pecuniary Interest (DPI) in relation to item 3.6a 4: C/04/60B full planning permission for conversion of barn to form local occupancy dwelling or holiday let at Newfield Barn, Wharfe, Austwick.
- b. Cllr Tibbatts had made a request for dispensation in connection with item 3.6a 4: C/04/60B full planning permission for conversion of barn to form local occupancy dwelling or holiday let at Newfield Barn, Wharfe, Austwick. The Council **resolved** to grant dispensation for a period of four years.

3.3 Police, District and County Councillors and YDNPA Reports:

The Council had **received** the written police report, which contained 8 minor incidents during the period between 23rd May and 1st July 2021, notably one report of an alleged assault against a farmer whilst trimming the hedge by passing horse riders exchanging words on the bridleway between Wharfe and Austwick. The Council **noted** that this incident is currently under investigation.

There were no reports from the District and County Councillors and the YDNPA.

3.4 Minutes of the Annual Meeting of the Council and Meeting 2 2021-2022

The Council **resolved** that the minutes of the Annual Meeting of the Council and Meeting 2, both held on 24th May 2021, should be **confirmed** and signed by the Chairman, Cllr Goold, as a true and accurate record.

3.5 To receive updates on Matters from previous meetings not otherwise included on the Agenda

No matters from previous meetings not otherwise included on the Agenda were reported.

3.6 Planning

a. Applications

1. C/04/698 full planning permission for siting of three shepherds huts for holiday let accommodation, creation of limestone hardcore track, and installation of package treatment plant (amended description), Crummack Farm, Austwick. The Council **agreed** to notify the YDNPA that it had no comments to make.
2. C/04/701 householder planning permission for erection of porch to the front elevation and erection of kitchen/diner extension to the rear incorporating the existing garage as utility and store; installation of Air Source Heat Pump to the rear of the utility room; re-roofing works to the property; widening of the existing driveway and associated groundworks, 2, Hall Close, Austwick. The Council **noted** that the identity of the applicant in this case has been redacted by the planning authority and is not therefore displayed on the application documents. The planning officer has confirmed that the application is nevertheless legally valid, and has explained that this decision has been made at the applicant's request for privacy and security

reasons.

Members of the public raised serious concerns about the effect of this proposed development on the amenity of the residents of Hall Close in terms of the scale and scope of the proposals. Hall Close is a small cul-de-sac in a rural setting and the properties are in close proximity to each other. The proposed alterations to No. 2 would render it out of scale to the other houses in the Close, and this would be emphasised by the installation of a two metre high fence on the boundary between No. 2 and each adjacent property. Neighbours are also concerned about the intrusive nature of an air source heat pump in this quiet rural setting.

The Council **agreed** to notify the YDNPA that, whilst not formally objecting to the application, the impact of these proposals for No. 2 Hall Close on neighbour amenity be given maximum weight when deciding whether consent should be granted for this development. The Council also **agreed** to notify the YDNPA that, if The Authority decides to grant planning consent, it includes all available conditions, applying to the construction period, to govern working hours, the volume and conduct of construction traffic and the siting and storing of construction materials, to minimise disruption to the residents of this small quiet cul-de-sac.

3. C/18/146E full planning permission for creation of timber wagon turning and timber stacking area; maintenance and improvement of timber extraction route and installation of reinforced concrete crossing over the sheep underpass, Long Lane, Thwaite Lane and Thwaite Wood, Ingleborough Estate, Clapham.

Members of the public raised serious concerns and anxiety in particular regarding the movement of heavy goods vehicles through Austwick village.

The Council **agreed** that the Chairman should write to the proprietor of Ingleborough Estate to ask that a 'detailed HGV movement management plan' be compiled that can be shared with Austwick Parish Council and the residents of Austwick more generally.

The Council further **agreed** that a copy of this letter should be sent to the Senior Planning Officer at the YDNPA for his consideration of whether planning consent should be granted or the conditions he may wish to impose in any such consent.

4. C/04/60B full planning permission for conversion of barn to form local occupancy dwelling or holiday let at Newfield Barn, Wharfe, Austwick.

The Council was **informed** that it is not entirely clear from the submitted plans which proposed doors and windows already exist, which ones exist but will be modified and which openings are new ones. The Council **agreed** to notify the YDNPA that, whilst not objecting to the application, the number and location of new door and window openings proposed to be made in the fabric of the barn is a concern. The Council also **agreed** to notify the YDNPA that, in considering whether planning consent should be given for the plans as at present submitted, particular attention should be given to the proposal to create new, and alter existing, window and door openings. This is particularly important for the northern elevation which faces the property's only neighbour, Newfield House, immediately across the public highway.

b. Decisions

1. C/04/609B full planning permission and amended notification for the proposed continuation of the winning and working of mineral until 31 December 2034, with a lateral and deepening extension of the extraction area down to 127 metres above Ordnance Datum within the existing site and revised restoration proposals to be completed by 31 December 2035, Dry Rigg Quarry, Helwith Bridge, Horton-in-Ribblesdale.. **Not yet decided.**
2. C/04/148M amended plans to full planning permission for erection of 8 dwellings and creation of new vehicular access to site at Land off Pant Lane, Austwick. **Not yet decided.**
3. C/44/101G application for the variation under Section 73 of the Town and Country Planning Act 1990 (as amended) of conditions 1,2,3,4 and 5 of permission reference C/44/101F for mineral extraction: Condition 1 to enable the continued import of mineral by HGV from Dry Rigg Quarry to Arcow Quarry railhead for its temporary stocking and export by rail until not later than 31 December 2034; Condition 2 to enable the railhead and adjoining land to be restored not later than 31 December 2035; Condition 3 to refer to this Section 73 application submission documents; Condition 4 to remove the 'Prior to the resumption of mineral extraction...' restriction and refer to the proposed revised restoration scheme; Condition 5 to remove the 'Prior to the resumption of mineral extraction...' restriction and require stockpiling

to be carried out in accordance with the currently approved scheme, Arcow Quarry, Helwith Bridge, Horton-in-Ribblesdale. **Not yet decided.**

4. C/04/141T and C/04/141U/LB householder planning permission and listed building consent for proposed rooflights and external flue at Barnsdale, Austwick. **Approved conditionally.**
5. C/04/702/GPDO Notification under Part 6 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the formation of a 70m forestry road, lorry turning bay and stacking area at Land off Thwaite Lane, Ingleborough Estate, Clapham. **Withdrawn.**
6. YDNPA: Tree Preservation Order No 1 (Austwick) 1980 to fell one leylandii and one whitebeam, 2 Hall Close, Austwick. **Given consent.** The Council **noted** that the YDNPA has made a recommendation that two replacement trees of native species are planted within the first planting season after felling. A member of the public raised a query if the recommendation should actually read as a condition and the Council **agreed** to contact the Trees and Woodlands Officer at the YDNPA to make enquiries.
7. YDNPA: Tree Preservation Order No 4 (Austwick) 1965 to crown thin one sycamore, Cross Leigh, Austwick. **Given consent.**

c. Additional and other planning matters

1. Planning consent C/04/15a Lanshaw Lodge, Austwick
The Chairman, Cllr Goold, **reported** that he had received a response from Mr Martyn Coy, Principal Enforcement Planning Officer at YDNPA, confirming that a site visit has been made and indicating that the unauthorised concrete structure qualifies as 'permitted development', not requiring planning consent. The Principal Enforcement Planning Officer confirmed that a new planning application would be submitted to change the access to the property to Holm Lane and that it has been recommended that tree preservation measures be put in place on the site. The Council **decided** to keep monitoring the situation and address this issue again when needed.

3.7 To note reports and updates on parish and parish council matters other than maintenance

- a. BOAT issue for Thwaite Lane
The Council had **submitted** a letter to the Principal Definitive Map Officer at North Yorkshire County Council requesting to give priority to the referral of this application to the Secretary of State for final determination and record the Council's opposition to the application. The Council was **informed** that the NYCC department dealing with this case has acknowledged receipt of its letter and the Council **decided** to re-address this matter at the Parish Council meeting in January 2022 or earlier if a response is received.
- b. Yorkshire Water Biodiversity Enhancement programme
The Council had explored the possibility of extending the wildlife sites in the parish in March 2020 and a grant application in conjunction with the Lune Rivers Trust to 'enhance the banks of Austwick Beck with tree and flower planting, stock exclusion to preserve water quality and a volunteer and education programme to achieve and maintain the habitat benefits' had been submitted twice but had been unsuccessful both times. The Council **agreed** to support the submission of a third grant application by the Lune Rivers Trust, possibly following a slightly different route and Cllr Wiltshire will keep the Council informed on how to proceed.

3.8 To note actions regarding parish maintenance matters:

- a. issues relating to NYCC Highways
The Council **noted** that no issues relating to NYCC Highways were reported.
- b. YDNPA: Austwick Stepping Stones Project on public footpath 31
The Council **noted** that the Yorkshire Dales National Park Authority Southern Ranger Team have identified that the stepping stones on public footpath number 31, over Austwick Beck in the Parish of Austwick, are in need of a complete rebuild. The existing limestone stepping stones will be removed and replaced with more suitable and sustainable gritstone blocks to be completed between the 26th July and the 30th September 2021 when the water level in the

beck is low.

- c. other issues relating to YDNPA
The Council **noted** that no other issues relating to YDNPA were reported.
- d. Graystonber Lane and Clapham Road conservation verges
Cllr Dewhirst **reported** that Mr Hewitt of the YDNPA has been contacted and a site visit to discuss various maintenance aspects of both conservation verges will take place soon.
- e. lengthsman duties or parish maintenance matters
 - 1 Cllr Dewhirst **informed** the Council that the Hawthorn tree near the bus shelter has come to the end of its healthy life. The Council **agreed** that Cllr Dewhirst should ask the lengthsman to remove the tree and replace it by planting two new Hawthorn trees of different varieties.
 - 2 Cllr Dewhirst also **informed** the Council that the Silver Birch tree in the bus shelter 'pinfold' has been inspected by Tree Tops Forestry after discovery of a large hole in the northern limb at a height of 2.5 metres. The Tree Surgeon recommends that the height and spread of the tree be reduced by around 35% which will make the tree safer. The Council **resolved** to accept the quotation to carry out this work of £375.00 plus VAT and it **agreed** that Cllr Dewhirst should contact the contractor to proceed.

3.9 Finance

- a. The Council **noted** the total balance of the HSBC current account bank on 30th June 2021 as £15,833.92 with £15,719.57 parish council monies and £114.35 AED funds.
- b. The Council **noted** the Notice of Public Rights and Publication of Annual Governance and Accountability Return (Exempt Authority) from Monday 21st June 2021 to Friday 30th July 2021
- c. The Council **resolved** that, in accordance with the Accounts and Audit Regulations 2015, the Local Audit (Smaller Authorities) Regulations 2015 and the Transparency Code for Smaller Authorities, the Council to publish the following documents on a public website:
 - Certificate of Exemption;
 - Annual Internal Audit Report 2020/2021;
 - Section 1 - Annual Governance Statement 2020/2021;
 - Section 2 - Accounting Statements 2020/2021;
 - Bank reconciliation to 31st March 2021;
 - Analysis of variances;
 - Notice of the period for the exercise of public rights and other information required by Regulation 15(2), Accounts and Audit Regulations 2015
- d. The Council **noted** receipt of £538.22 from HMRC as VAT reclaim for the financial year 2020-2021.
- e. The Council **approved** payment of £30.00 to Charlotte Wilkinson for 6 weeks of bus shelter cleaning.
- f. The Council **approved** payment to Craven Garden Care of £391.50 for maintenance on village greens; £328.50 for maintenance on verges; and £45.30 for maintenance on outlying verges, all for May
- g. The Council **approved** payment to Craven Garden Care of £243.00 for maintenance on village greens; £508.50 for maintenance on verges; and £64.80 for maintenance on outlying verges, all for June.
- h. The Council **noted** the Lengthsman Services Report – comparison of budget versus actual costs to 30 June 2021.
- i. The Council **approved** payment of £244.80 to the clerk as salary for June 2021 and £58.91 as expenses for April to June 2021.
- j. Cllr Dewhirst **verified** the bank reconciliation for Q1, April to June 2021, of the Financial Year 2021-2022 and **reported** that all is in order.
- k. The Council **considered** one other financial issue and it **noted** the receipt of the Notification of Exempt Status from the External Auditor for the Finance Year 2020-2021.

3.10 Correspondence received

The Council **noted** it had not received any correspondence.

3.11 To note and respond to items of information

- a. The Council **noted** the Citizens Online Project by Craven District Council.
- b. The Council **noted** the YLCA Craven Annual Branch Meeting on 23rd June.
- c. The Council **noted** the YLCA White Rose Update 28 May; 18 June; 2 July; and the Law and Governance Bulletin 16 June.
- d. The Council **noted** the Healthwatch North Yorkshire Newsletter for June.

3.12 Date and time of the Parish Council

- a. The Council **confirmed** the date of the next Parish Council meeting as Monday 6th September 2021 to be held at Austwick Parish Hall at 7.30 pm.
- b. The Council **reviewed** the subsistence of the delegated powers put at place at the meeting of the Council on 19th October 2020 and **resolved** that, due to the continuing uncertainty that face-to-face council meetings would always be possible in the future, and considering that delegated powers can only be put in place at a meeting of the Council, these powers should remain in place until such time that the Council resolve to remove them. The Council therefore **reconfirmed** that the clerk and RFO is empowered to do anything expedient and necessary to ensure the continuous business of the Council, and to deal with mandatory undertakings in order to prevent the authority from incurring liability during the period that the delegation is applicable under the Local Government Act 1972, Section 101.

The Council also **confirmed** that these delegated powers would be exercised by the clerk and RFO only when face-to-face meetings are not permitted or advisable or cannot be lawfully held and only after consultation with the Chairman, Cllr Goold. All decisions and actions taken would be reported to all councillors in a timely manner and would be minuted for ratification at the next meeting of The Council.

Marijke Hill
Clerk to the Council