

Hawes & High Abbotside Parish Council

Minutes of the Meeting of 7th September 2015 held at Gayle Institute at 7.15pm

Present: Cllrs. J Blackie (Chairman), Ms A Caygill, G DiDuca, A Fawcett, A Sunter, I Woolley.

In Attendance: Mr I King (Clerk), Mr S Wears and Ms A Carson (Environmental Health Department, Richmondshire District Council), Mr D Hartley and Mr D Potts (Wensleydale Creamery Ltd), Mrs K Beardmore (Director of Park Services, Yorkshire Dales National Park Authority)

26 members of the public

Apologies: Cllrs Mrs S Alderson, Ms D Allen, Mrs A Rhodes, Ben Fawcett, Stuart Hunter

- 1. The Minutes of the Meeting of 6th July 2015 were accepted as a true record, and signed by the Chairman. There were no Matters Arising.**

(Chairman's Note – It came to light subsequently that the July 2015 Minutes had not been circulated to all members of the Parish Council so this item will be put to the November meeting for re-endorsement)

Due to the number of people attending for specific items the Chairman announced that he would adjust the order of the Agenda.

2. Foul Smells in Hawes

The Chairman in introducing the item said these foul smells were last prominent in 2009 but the intervention of the Parish Council working with Yorkshire Water (YW) had led then to the introduction of automatic dosing technology at the Wensleydale Creamery to neutralise smells coming from its effluents, and they had eased considerably for the next 5 years. Unfortunately, they have returned with a vengeance this summer.

The Chairman then introduced Stuart Wears and Anna Carson from Richmondshire District Council (RDC) Environmental Health Department to the meeting. He then explained that Michael Denny of Yorkshire Water was not able to attend but he had an e-mail updating progress from him to read out.

Since the latest outbreak various site meetings have taken place, but so far without success. A check at the Wensleydale Creamery had indicated its dosing machinery appeared to be working normally and NYCC Highways had agreed to organise jetting of the drains from Town Head down towards the centre of town.

Yorkshire Water has carried out mitigation work sealing sewer covers, and suggested the highway drain in The Holme near Ings Drive, where the contents were festering, was also carrying raw sewage. Cllr Blackie said that he would ask Highways to check this out as a matter of urgency.

Mr Wears said he had over 20 years of experience in Environmental Health but none in a deeply rural area like the Upper Dales. He had visited Hawes 3 times in the last fortnight and had met twice with representatives of the Creamery, and had discussions with YW.

However he stressed he had to treat this as a new investigation, based on the evidence of the 4 complaints he had received, and he required more written evidence to set off a prosecution.

Cllr. Blackie said this was a waste of time as the issue has been going on for years, there were several residents experiencing unpleasant odours, and all that local people and the Parish Council was seeking was the co-operation of Environmental Health to help with other organisations to resolve the problem. The local community was not interested in Court action or prosecution. Most of the public present nodded in agreement with the Chairman as he stated problem solving as the prime objective.

Mr Wears openly disagreed with Cllr. Blackie on this approach, returning time and again to the need for documented evidence for a prosecution.

David Hartley (Managing Director, Wensleydale Creamery) agreed that this is a long-term problem that needs resolution. He does not believe that the Creamery is the prime source, and said that it meets all the strict demands of YW's licensing regime for the discharge of effluent into the public sewer, and these effluents are monitored 24/7 by 2 independent companies. The nature of the business requires such discharges, but the Creamery is determined to continue to produce cheese and other dairy products in Hawes.

He added that it has been a busy year for the Creamery, and suggested that the YW sewerage infrastructure is not as robust as it needs to be. He hoped that its capacity would be increased via a significant investment by YW, as the Wensleydale Creamery had ambitious plans to expand its production in Hawes, and in doing this to expand the employment it offers, but this would involve increasing the effluent it discharges into the public sewer.

Rob Ward read out some historical correspondence about the problem which firmly pointed the source of the smell to be the Creamery, but that was before the dosing machinery had been installed. Mr Ward agreed with Mr Hartley that the problem is the sewerage infrastructure, and felt that YW is dodging its responsibilities by not investing to secure its improvement.

He added that Mr Wears is the 5th Environmental Health Manager from Richmondshire DC that he has dealt with, but despite its statutory responsibilities to deal with these odour issues, RDC has failed to resolve the problem.

Mrs Kathleen Martin lives on the corner of Ings Drive, and said that the problem is usually at its worst in the mornings.

Mr Christian Weston (Proprietor, Penny Garth Café) said that the smells had badly affected his customers this year, with complaints of nausea and headaches. He

complained of the slow response from RDC Environmental Health, which had taken two days to come to Hawes after a complaint, by which time the smell has gone away.

A new resident living near Town Head said that the smell comes through his windows. He asked if RDC Environmental Health and YW could co-ordinate the handling of complaints. He also wondered if there is a scientific means of monitoring / logging / interpreting the occurrence and nature of the smells.

Mr Wears said due to cutbacks in funding, there would probably not be sufficient funds available within the budget at RDC to afford a consultant to assist with the investigations in this way. Cllr. Blackie challenged this suggestion and said he was sure that funds would be made available as RDC has a statutory responsibility in Environmental Health.

Councillors asked that Yorkshire Water should attend its next meeting to discuss the action it was taking to address the foul smells, and its future investment programme in the town.

Councillors also hoped there was more willingness than had been demonstrated at the meeting by RDC Environmental Health to join with other organisations especially both Yorkshire Water and the Parish Council in a determined attempt to get to the bottom of the odour problem. They re-iterated that problem solving was what local people were seeking, not prosecutions.

3. YDNPA Planning Application R/56/86 - Full planning permission for change of use of an area of the ground floor to form a café with indoor and outdoor seating at the Dales Countryside Museum, Station Yard, Hawes

The Chairman asked contributors to the debate to limit themselves to the planning issues, and not to go over the long debate on this subject held at the July meeting.

Kathryn Beardmore said that there had been four expressions of interest in the franchise, of which she deemed two to be serious. On that basis the Planning Application for the change of use of part of the Museum premises had been submitted.

Objectors to the application noted there were already 21 businesses in Hawes selling food and hot drinks, including 6 dedicated cafés. Concerns were expressed that the YDNPA would subsidise part of the costs of running the café as it was proposed to use the public toilets at the DCM rather than expect the franchise holder to provide their own customer toilets for the café, and its trade waste would be taken away along with that of the DCM.

Operating a café at the DCM gave the franchise holder an advantage over all other catering establishments as it was located by the major car park for the town, run by the YDNPA. It was felt that the taxpayer, via the grant the Government gives to the YDNPA, was subsidising the proposed café to be in competition with private businesses who via the taxes they pay contribute to the public funds that are handed across to the Authority.

The Parish Council meeting was reminded that when the DCM was opened in its new building, a promise was made by the then NYCC YDNP Committee that in deference to the traders in the town, there would not be a café provided within the new facility.

Councillors expressed the concern that Hawes could become a town of two ends and no centre, with both the Creamery and the DCM offering sufficient visitor attractions and hospitality at its extremities to make it unnecessary to visit the town centre. Only Ruth Annison of the Hawes Ropeworks near the DCM spoke in support of the application, saying that not everybody could walk up to the town from the DCM Car park, and that a café in the Museum would welcome such visitors to the town and improve their experience of Hawes.

A number of Councillors felt the development of the Creamery as a visitor attraction had been detrimental to businesses in the town centre. There was concern that visitor numbers to Hawes were generally dropping, despite the one-off boost provided last year by the Tour de France, a point made by the statistics Kathryn Beardmore quoted at the meeting.

A member of the public, Mr David Emerrson, intervened to ask if there was a threat to the future of the Museum. Kathryn Beardmore replied “yes”, adding that there is an ongoing review of its options, which include selling it as a going concern or inviting the Parish Council to consider taking it over.

Cllr Di Duca announced that on this basis he intended to abstain as he is fearful for the future of the Museum itself if it is not allowed to develop.

Following an extensive debate, it was proposed by Cllr. Albert Sunter and seconded by Cllr. Tony Fawcett that Hawes & High Abbotside Parish Council should OBJECT to the application on the following grounds:

- There is sufficient provision of catering facilities already in the town
- Adding to this provision amounts to an overcapacity of supply that runs the risk of the loss of businesses and jobs that are already established in the town
- The proposed development could undermine the future vitality and viability of the town centre of Hawes, which was afforded a significant degree of protection in a number of policies within the Local Plan.

The Council added that there is a need for some restrictions should the planning application be passed:

- that opening days and hours should be the same as the usual opening hours of the DCM, and should be the same as those that have been conditioned to other proposed catering establishments of a similar nature in the town when they have applied for planning permission.

- that the number of covers within the DCM should be no more than the average for other cafes in the town, a maximum of 36, with a maximum of 10 covers at outside tables.

In the vote, 3 councillors voted in favour of the motion, 1 against with 2 abstentions.

The Chairman, Cllr. John Blackie, conducted the debate without offering his own personal opinion, and abstained at its conclusion on account of his owning a café in the town centre, and because of his membership of the YDNPA Planning Committee.

Kathryn Beardmore was thanked by the Parish Council for attending both the July and the September meetings. She thanked the Parish Council for giving her the extended opportunity over both meetings to put the case on behalf of the YDNPA.

4. The Hawes & High Abbotside Parish Council non-denominational new Cemetery

It was agreed that ministers from the Church of England, Methodists, Roman Catholics and the Society of Friends (Quakers) should be invited to participate in the Consecration Ceremony of the new Cemetery in the Spring of 2016. A draft policy is in preparation and will cover such areas as entitlement to be buried which must be judged around a local connection to the Parish, what is allowed on display around the graves, and the fact that plots will be used in order with no options to pre-book a particular one in a particular location.

The Chairman is concerned about the eligibility issue – i.e. justifying the local connection to allow burial to take place in the new cemetery - and does not want the decisions left to a small sub-committee. Elsewhere in the Parish this had caused some very bitter anguish as a number of applications by very local people to be buried had been rejected.

He therefore proposed that such judgements on eligibility should be brought to a meeting of the Parish Council, and it would consult with Councillors and those members of the public present before making its decision, as he felt that those who had lived in the Parish the longest who were not necessarily Councillors had a role to play in confirming or otherwise the local connection.

Councillors agreed to this proposal.

Once the Parish Council resolved to accept the application to be buried in the new Cemetery then their reservation was guaranteed in perpetuity once they had paid a £100 non-returnable reservation fee.

Councillors agreed to this proposal.

It was also agreed that the names of applicants, whether or not they were successful, would not be publicised in advance or subsequently after the meeting, but clearly they would be revealed and discussed at the meeting itself.

Accordingly the names of the applicants and the decision made by the Parish Council would be held on Confidential Minutes, available only to Parish Councillors and the Parish Clerk.

5 applicants, as shown on the Private and Confidential Minutes to the meeting, demonstrated their local connection to the Parish, and their reservations were all approved.

The Clerk was asked to write to inform them of the successful applications, and request a non-returnable reservation fee of £100 each to confirm them.

Mr Steve Richardson took the opportunity to thank the Council for funding grass cutting in the top graveyard by the Parish Church. The Chairman thanked Mr Hartley and the Creamery for offering to pay £100 for one cut of this graveyard, as his employees used it as a short cut to and from work.

5. Grit Bins / Heaps, proposed removal by County Council

Emails had been circulated to the Councillors regarding the NYCC proposal to remove grit bins / heaps unless Parish Councils were willing to take on the costs, including the strong objection to what was being proposed, and the way it had been communicated, raised by Cllr. Blackie in his role as County Councillor for the Upper Dales.

The Chairman had already persuaded NYCC to keep the bins near the Ambulance Station at Bainbridge and on Turfy Hill for road safety reasons, and the one on The Holme which was funded by this Council. He had also had success in retaining a number of the other grit bins proposed for removal elsewhere in the Upper Dales.

The grit bins near Hawes Community Primary School and in the West End of Gayle are still under threat. Cllr Sunter asked about the safety of school children if the grit bin by the school was removed.

The issue is to come up at the NYCC Richmondshire Area Committee on 16th September, and the Council resolved that the Clerk should email its opposition to this plan to this meeting, and support its Chairman in voicing this view.

The Council will revisit this issue at its next meeting.

6. Defective advice / action by the Richmondshire District Council with regard to Environmental Health enforcement issues and private water supplies at a property in Hawes & High Abbotside

A complaint had been received by the Chairman that the Environmental Health unit at Richmondshire District Council (RDC) was being over-zealous with its enforcement of new private water supplies regulations at a property in the Parish. He had investigated and agreed with the complainant, and asked Councillors to report to him any other instances which he would take up with RDC.

In requesting this he pointed out that the Upper Dales because of its nature had a uniquely high number of private water supplies, especially on farmsteads, and it was important that individual residents were not picked off by officials demanding more remedial action than is necessary to comply with the regulations.

He also pointed out that it was disappointing that Stuart Wears and his colleague had left the meeting before this item was discussed as they could have made an informed contribution to the discussion. Both officers were aware it was on the Agenda.

7. The Yorkshire Dales National Park new Local Plan

With the deadline of 14th September imminent the Council delegated its Chairman to formulate its response.

8. Emerging National Housing Policy

The Chairman said that there are 22 Housing Association properties in Hawes, and that they are all at threat of being sold at discount prices, at around £70,000 each, under the new government policy. A similar threat applies to the 22 remaining Council house and flats in Gayle and Hawes. Again the houses would be sold for around £70,000, but it would be less for the flats in Gayle.

A former Council house in Hawes, sold off several years ago under Right to Buy, was attracting offers at £210,000. The Chairman said that if all these 44 properties were offered under Right to Buy they would make a very attractive investment for their occupiers, or family relatives to purchase them. He was keen to absolve the occupiers and their families from any blame if this occurred. It was the Government that was offering them a Gift House in the mouth.

Councillors agreed the potential loss of these 44 properties as affordable houses available to rent at affordable rents threatened the future viability of Hawes & High Abbotside as a vibrant community. It will discourage young families from moving into, or remaining in the area as houses they can afford to rent will not be available.

They also agreed that the suggestion that each house sold would be replaced on a one to one basis was as the Chairman had put it “moonshine”, a fact not in dispute as currently only one in ten houses had been replaced on this basis across all England.

On top of this dismal statistic Councillors questioned where the new sites would come from. No local landowner would in future sell off his or her land for a song for local affordable housing if others (including the Government) were going to make a very considerable profit out of his or her public spiritedness in supporting their local community.

It is also likely that the Section 106 Local Occupancy restrictions will also be lifted so it will not be long before these properties are holiday cottages, second homes or sold to older people retiring to the Dales.

Councillors shared Cllr. Blackie's disappointment that the Conservative majority now in charge of Richmondshire District Council, with their lead member Cllr Yvonne Peacock from Bainbridge, had voted down his motion for an exemption from the new housing policies for communities of less than 2000 residents, especially as the YDNPA had unanimously endorsed the same proposal he had put forward at its June meeting.

9. **Gayle Green**

It was agreed that a meeting for Gayle residents should be held in the Autumn, or later if grant funding for a planned project to improve this area was not available at this time. It might be that Spring would be the earliest time that the grant fund would be open for applications.

Mr Stan Roocroft said that the North of England Civic Trust should be involved if the project affects Gayle Mill's mill-pond. He added that plans to put "slippery road" signs on the ford were pointless and said that replacing the black and white chevron markings on the corner by Gayle Ford would be more useful.

10. **Rishi Sunak MP**

A letter will be sent by the Clerk to the new local MP, inviting him to attend a meeting of the Parish Council, which could be arranged on a date and time to suit his convenience. A list of current topics the Parish Council would wish to discuss with him will be forwarded once a date was established.

11. **Highways Issues**

The Highways Department acknowledges the need to resurface Gayle Lane at its junction with the A684 but will not be able to do the work until next year. The other issues raised with Amy Ellis at the last meeting were being dealt with.

12. **Defibrillators**

There is a request for a Defibrillator to be installed at Hardraw. The Chairman asked its Councillors to seek a location for a charity box in the village to raise some local funds to trigger grant funding. The defibrillator for Hawes is now in the town, and awaiting an electrician for the fitting.

13. **YDNPA Planning Applications**

- a. **R/48/101C Yore House, Lunds.** Full planning permission for retention and upgrade the tele-communications base station. **Supported.**
- b. **S/03/90/LB Moorcock Railway Bridge (A684).** Listed Building Consent for strengthening and waterproofing works to bridge. (NB this is in Garsdale Parish but very close to the Parish border.) **Supported.**
- c. **R/56/415G Wensleydale Dairy Products Ltd.** Full planning permission for demolition of existing tanks and extension of existing smokehouse. **Supported.**

14. **Correspondence**

- a. **YDNPA – Northern Parish Forum – Tuesday 22nd September @ 7.00 pm** in Leyburn. **Noted.**
- b. **Jemma Hogg / Karian Gifts – Commemorative Plaque for Tour de France.** **Noted.**
- c. **David Lodge, Richmondshire District Council – Play equipment report.** **Noted.**
- d. **Hambleton & Richmondshire Citizens Advice Bureau – Invitation to its AGM in Richmond Town Hall on Friday 9th October from 1.30 - 4.00 pm.** **Noted.**

15. **Winter Sunday Bus Services : Hawes – Northallerton – Hawes**

Mrs Ruth Annison asked to address the Council on the importance of this local Sunday bus service. It was agreed to offer £100 towards the cost of providing a winter timetable for services between Northallerton and Hawes on a Sunday once it was confirmed it would continue operating throughout the winter.

16. Financial Matters

A full half year reconciliation of the Bank Account will be presented to the November meeting of the Parish Council for information / endorsement.

17. Any Other Business

Nuisance caused by roaming peacocks at Town Foot, the need for sweeping the zig-zag path by George's Garden, and fly tipping at Appersett Gill were all raised under this item.

It is understood the peacocks will be removed by the end of September, and the Parish Council agreed to paying for our caretaker / gardener (Ivan B) to sweep the zig-zag from time to time. The fly tipping situation would be monitored.

18. Next Meeting - Monday November 9th at 7.15 pm. Meeting Venue to be confirmed.

The Meeting concluded at 10.00 pm.