

BIGGIN PARISH COUNCIL

Biggin, Sherburn in Elmet, North Yorkshire, LS25 6HJ

Minutes of the Ordinary Council Meeting of Biggin Parish Council held at Ryther Village Hall, 38 Mill Lane, Ryther, nr Tadcaster, LS24 9EG on Tuesday 22nd October 2024.

The meeting opened at 6.30pm

Present: Cllr N Kaiper-Holmes (Chairman), Cllr R Anderson, Cllr V Earle, Cllr C Hartley Cllr J Lamb and Georgina Ashton, Clerk to the Council. 51 members of the public present and County Cllr Andrew Lee.

Minutes of Meeting

25/35 To receive and consider apologies for absence
None received

25/36 To receive any Declarations of Interest from Members
Members are invited to declare disclosable pecuniary interests and other interests in items on the agenda as required by Biggin Parish Council for Members and by the Localism Act 2011.
None received

25/37 Public Participation Period –

Resident 1 – Pub landlord. Explained that there has been a lot of confusion about the pub, the landowner has a court of protection on her father, plans to make it better, busier and more a community pub. Hopefully this will lead to people stop worrying about it.

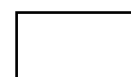
Resident 2 - Mr Stephenson – nobody has done anything about it (the planning issues), what they (the planning dept) have asked for the planning agents are going to do.

Resident 3 – Why is there a two-tier planning system? There is no evidence of prompts from the Enforcement department. Nothing more, nothing less. We just ask that the Enforcement Management Plan is followed.

25/38 County Cllr report – update from Cllr Lee

Lots of observations from residents. Lots of contact with the Enforcement team and planning department. Appreciate that we don't always get the answers in the timeframes that you want. Everyone should be treated the same, it is a level playing field. It appears that the Enforcement dept meet targets by using the easy wins. Some of the larger and more complicated enforcement issues are not dealt with timely.

Cllr Lee explained that his role is to represent the interests of the villagers. Agreed that there are lots of other enforcement concerns across the division. The current position of the planning enforcement team, they do not feel that it will be prudent to pursue any enforcement action while the retrospective planning application is being determined. The Council have to follow the procedure and process. Cllr Lee asked Senior Planning Officer to attend, but no one from the department was available.



Cllr Lee has however offered to broker, a private meeting with members of the parish council and officers at NYC – to discover and discuss some of the technical issues surrounding the case. No answer provided in terms of what is a “reasonable time” to validate an application.

The planning department are giving the applicant sufficient time to put in the suggested reports. Cllr Lee will try and establish what timeframes NYC are working to. You can apply to run a hot air balloon business from a terraced house. With a retrospective application, it is unclear as to whether an unrealistic application should every be validated.

In terms of the landscaping plan validated after the trees had been removed. Cllr Lee will investigate the concerns raised by parishioners with regard to the landscaping plan been validated and granted after the trees had been removed (as been agreed by the site visit from Senior Planning Enforcement Officer on 16 May). He said this is top of my inbox, I am receiving so much correspondence on this, it is not going away. Environmental Health concerns raised regarding the regular fires on site and the welfare issue. First requirement is to establish when the application will be validated and a meeting with members of the parish council with NYC officers.

Resident 4 – how can a retrospective application be ever validated when it is so far removed from the original consent? Cllr Lee replied that yes, that is correct, this scenario is using a retrospective application to use it to validate a completely new application and use of the site.

Resident 5 – If everyone in the room were to put forward a retrospective application like this, it would be totally against the Local Plan and national policy. This one application goes against the Local Plan and national policy.

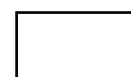
Resident 6 – in the hypothetical scenario that the application is approved. How would NYC compensate homeowners in the parish? Cllr Lee suggested that loss of house prices is not a planning consideration. Everyone is worried about house prices and the situation now.

Resident 7 – is this a high priority case? Why hasn't the applicant submitted the outstanding documentation? The applicant says that his planning agent is “on with it”.

Resident 8 – if the retrospective application is refused, can the applicant appeal the decision? There are some avenues for appeal. The Council will not rubberstamp this application, it will undoubtedly go to Planning Committee at the Selby and Area Ainsty Area Planning Committee. This means that the application will be heard by a committee of elected representatives rather than a recommendation from an individual planning officer.

Resident 9 – The Local Plan HG14 – clear policy for Gypsy Traveller sites across the planned area. The criteria for a suitable site is not met by Bridge House in any way, principally because the site is in Flood zone 3 and doesn't meet any of the criteria for making the site suitable for development.

Resident 10 – concerns over the dogs on the site and on the B1222 Bishopdyke embankment, many concerns raised with the RSPCA. The RSPCA have visited on at least 8 occasions, when you ring the RSPCA, you are speaking to a call centre. Why are the animals been hidden by privacy netting and tarpaulin. Members confirmed that there is a lot of involvement from the Wildlife Officer at NYC (Sarah Day) and the RSPCA. On a visit by the Welfare Officer, all of the animals had food, water and shelter.



None of the dogs were underweight, on the 2nd visit, there were less dogs and different dogs. Regular site visits will take place over the coming weeks to ensure the welfare of all animals as happens with all traveller sites across the Selby district.

Police update – PCSO and PC

We have had a number of reports, off road motorcycles, a lot of people go through Little Fenton. If you see something please report to 101, email, use the website. If it is immediate, please ring the police. More regular patrols have taken place through Biggin due to the number of complaints received. You can call 101 and request a call back by dialling 1.

45 members of the public left – 5-minute comfort break took place.

Meeting resumed at 7.28pm

County Cllr Lee – There is a general consensus that there is potentially an increase in the number of traveller sites across the region. A lot of communities do not want traveller sites. This site needs to have a fair hearing. What was proposed was a manageable site, we are now in a position whereby a huge traveller site has emerged.

25/39 To approve the Minutes of the last meeting held on Wednesday 18th September 2024.

Resolution: to accept and approve the minutes of the meeting held on Wednesday 18th September 2024 as a true and accurate record.

25/40 Planning

- a. To note and consider S106 expenditure and withdrawal of proposed gated entrance project.

Resolution: to instruct the purchase of 3 gated entrances from Glasdon at a cost of £1,082.31 including VAT.

- b. To consider any live planning applications in the Parish.
None received.
- c. To receive an update on the renewal of the ACV on The Blacksmiths Arms, Biggin. Changes to the decision notice report to reflect the name of the pub. Typo errors on the website and the Decision notice, these are now reflected correctly.
- d. To receive and consider an update from the Planning Sub-committee, considering any next steps and future actions.

Resolution: for the Clerk to facilitate and take up the offer of a meeting at NYC with officers, County Cllr Lee and members of the parish council subject to legal advice.

Resolution: for questions to be prepared and collated by the Clerk prior to the NYC meeting and checked by the instructed solicitors.

Resolution: for the Council to write and communicate key information to the following people: Cllr Les, Cllr Lee, Cllr Crane (Exec lead for planning), Alec Shelbrooke MP, Kevin Hollinrake MP subject to legal advice and disclosure.

25/41 RFO Finance Report

- a) Financial update from the Clerk, balance at bank – to 15th September 2024

Resolution: to approve the bank reconciliation with a balance at bank on 14 September 2024 of £4,878.19.



b) To approve the Bank Reconciliation and any payments

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| 22/10/2024 | Fuel recharge to G Hill | £65.00 |
| 22/10/2024 | Ryther Village Hall Charge for PC meeting | £30.00 |
| 22/10/2024 | Clerk's salary April 24 to 31 Oct 24 (6mths at 4hrs pmth. At SCP5) | £293.04 |
| 22/10/2024 | Internal Audit Fee - Child & Co Chartered Accountants | £60.00 |
| 22/10/2024 | Gallagher Insurance - Annual Parish Council Insurance | £404.49 |

Resolution: to approve the bank payments above. Unanimous.

- c) To consider the instruction of legal advice for matters pertaining to the parish, causing significant harm to residential amenity

Resolution: to instruct Walker Morris in the name of Biggin Parish Council for matters pertaining to Bridge House, Biggin.

Resolution: to use to a maximum of £2,500 of general reserves towards the legal fees by the instruction of Walker Morris.

Resolution: to recoup the costs of the legal fees by increasing the precept requirement to cover the costs (increase of £4,075)

Resolution: for questions to be prepared and collated by the Clerk prior to the NYC meeting and checked by the instructed solicitors.

- d) To consider a review of the clerk's working hours and any overtime payment.
The Clerk

Discussed at length but decision not to take forward at this point in time. Perhaps look at an overtime payment in the future.

- e) To consider the budget setting for 2024-2025 for Biggin Parish Council

Resolution: to approve the budget presented by the Clerk for 2024-2025 financial year.

- f) To consider the Precept Requirement for Biggin Parish Council for 2024-2025.

Resolution: to make a precept requirement of £5,688.15 (comprising of £1,613.15 and £4,075) for the financial year 2024-2025.

25/42 Community Safety and village projects

- a) Defibrillator report – Cllr Anderson confirmed that the defibrillator is having regular checks and is in good working order.
b) Grass cutting – to confirm the payment to the volunteer resident of £65.00 towards fuel costs.

25/43 Correspondence received and to note information exchange and representative reports

25/44 To note the date of the next meeting – Wednesday 4th December 2024, venue to be confirmed.

Chairman's Signature: _____

Date: _____

The meeting closed at 8.08pm

