

ROSSINGTON PARISH COUNCIL



Clerk to the Council

Anne Hammond
Tel: 01302 864731

Parish Office
The Memorial Hall
McConnell Crescent
Rossington
Doncaster
DN11 0PL

 Rossington Parish Council 2016

DRAFT

MINUTES OF THE PARISH COUNCIL MEETING HELD AT ROSSINGTON MEMORIAL HALL AT 6.00 pm on TUESDAY 08 MARCH 2016

Present: Councillors: G Dutton, J Gibson, N Smithard, J Parkin, G Sheldon, W Reynolds, M Volante, J Rowland-Johnson and J Cooke
Vice Chair: Councillor A Harper
Clerk: Z Attridge
Public: No members of the public were present

4509. WELCOME AND INTRODUCTION

Cllr A Harper opened the meeting and welcomed Cllrs, Members of the Public and Roy Sykes, Principal Planning Officer, Doncaster DMBC

4510. TO RECEIVE REPRESENTATION FROM DONCASTER MBC PLANNING DEPARTMENT

PUBLIC: Why have you been asked to turn up to this meeting?

DMBC: Concerns were raised by residents to Ward Cllrs in relation to the operations on Bankwood Lane.

PUBLIC: Are you referring to the Attero recycling site and the heavy Lorries going to the site?

DMBC: Yes, the companies are Morris Metals and Attero.

PUBLIC: We've seen a been a huge increase in lorries on West End Lane going past St Michael's School, and sometimes down Littleworth Lane, the junction of Yew Tree Crescent and Littleworth Lane, they go at a terrific speed, it's a death trap if you turn right there. When they open the new section from West End Lane, will the Lorries go down there?

DMBC: When they open the new section onto West End Lane it will be an access road for vehicles to get on to the M18. I don't know about the weight restrictions.

PUBLIC: Why didn't they build the road so the Lorries can't physically go down?

DMBC: I don't know about roads the Lorries can't use.

PUBLIC: The roads are too tight for vehicles to physically turn?

DMBC: The road has been designed to reduce speed, there's quite a large kink in the road, it has been designed to reduce speed of traffic.

PUBLIC: We'd rather have Lorries go down that end rather than past schools and the noise and the smell.

PUBLIC: Have you been looking at Hargreaves?

DMBC: We've been looking into Hargreaves as well because of the Lorry Park tucked in behind the site, we've started to look into that.

PUBLIC: We live on the backs

DMBC: Right, we had someone contacting the Environmental Health basically saying Environmental Health had spoken to residents on Bankwood Lane that back on to the site reporting Lorries arriving in the evening and very early in the morning causing a disturbance, we are looking into that.

PUBLIC: There's approximately 16 Lorries in that park every night, they start at 2 am? Once you are awake you can count them going up the lane on to West End Lane but the planning permission for that yard is 7.30 am to 6.00 pm Monday to Friday

DMBC: Is this the Hargreaves site?

PUBLIC: Yes. 7.30 am to 1.00 pm on a Saturday and nothing on a Sunday. Also it says no repairing of Lorries should take place except within the buildings. They're banging, playing loud music, changing wheels and tyres at all times of night obviously totally out of order.

DMBC: That's useful information. The Hargreave site is something that's relatively new to us, we've been concentrating on the Attero and the Morris sites. I took the opportunity to visit the site before I came here tonight.

PUBLIC: Someone said you'd been out there on Saturday night.

DMBC: We were there on Saturday night trying to address some of these concerns.

PUBLIC: We're only 30 metres away from that lot which is not easy

DMBC: Especially at 2.30 in the morning. You could get Environmental Health on to that as a statutory nuisance.

CLLR: Environment Health are aware of that.

WARD CLLR: Concerns have been raised that views expressed by Parish Cllrs are not being heard.

DMBC: Concerns have been raised on a number of occasions with Board Members. We have had a number of emails from residents expressing concerns about hours being breached here and there but what we need are hard facts and evidence, because any action is open to challenge so we have been collecting quite a bit of evidence. We've spent quite a lot of time investigating these sites. We met with the Cllrs on Friday afternoon. Someone from our planning enforcement team went out there at 5.45 on that morning to see if we could substantiate the concerns being raised and a number of vehicles were seen entering and exiting the Attero site as early as 6.01 am right through to 6.30 am when the investigating officer left the site having convinced himself those hours had been breached. We are now in the process of issuing a Breach of Condition Notice to serve on Attero this week possibly tomorrow, it's just going through the legal checks, telling them they must comply to their hours of operation or they will face fines through the Magistrates Court. That is the latest on the Attero site.

PUBLIC: A company that size are not going to be bothered about planning are they? If they don't comply can't you kick them off the site completely?

DMBC: We can't really do that. There is a process to go through. That is what a Breach of Condition is.

PUBLIC: But if they are in breach of it?

DMBC: The Breach Of Condition Notice is the next course of action. Not to get rid of them but to bring them into Compliance.

PUBLIC: They'll toe the line a bit then start again? A company like that are only interested in getting the job done.

DMBC: That Breach of Condition Notice sits there forever.

PUBLIC: So what happens if they do it again?

DMBC: They get another fine.

PUBLIC: How many fines can you get them to pay?

DMBC: I can't say.

PUBLIC: There needs to be a cap on it then if they don't comply – get rid of them! Even if they can't get parked they are lining up all down West End Lane from 6.30 in the morning on both sides of the road. At least 12 to 16 lorries. If you want some photographs they're here. They're there with engines running, music on, lights on. You've just got to try and wind your way around them till that site opens up then all the noise starts again.

DMBC: There's nothing we can do about vehicles parked up on a public highway if there's no double yellow lines. They are within their rights to park up on a public highway.

PUBLIC: They're blocking the road off. Is it a police issue?

DMBC: I could be a safety issue.

PUBLIC: We've got Morris's lorries coming up and down that lane. They work any time up until 2 and 3 am in the morning, clanking and banging, you can't help but hear it.

DMBC: Their planning permission restricts their hours for deliveries and operations. They are allowed to maintain machinery and so forth.

PUBLIC: Another problem is their reversing sirens, we have to shut our windows but we can still hear it.

DMBC: There should be no lorries whatsoever going up and down Littleworth Lane.

PUBLIC: It hasn't not a weight restriction but it has a width restriction of 7 foot from wing mirror to wing mirror. We've reported it to the police.

DMBC: If it's after 9 pm ring environmental health with a list of complaints, they'll send you a listening device out.

PUBLIC: We've had no end of those!

DMBC: What did they do? Did it go really quiet as they get notification that you've got a device?

PUBLIC: We've been using the late Night Noise Patrol Friday and Saturday night. They've come with the small hand held machine.

DMBC: What did they find?

PUBLIC: They recorded 50+ decibels in the bedroom but they didn't do anything about it.

DMBC: You need to speak to your Cllrs about that.

WARD CLLR: We are in constant contact with Public Health that's why we are having all these meetings. This has been going on since at least August when I went out to the lorry park. The other issue is the lorry park is still there and I understand that is not legal. Is any action being taken to get rid of that?

DMBC: We have been out since that meeting with Environmental Health, we were there for about 30 minutes. On Monday morning there were 2 vehicles that came in within that time. It is an unauthorised use of that site. Environment advice to me from a Statutory Nuisance point of view they didn't see it causing harm. I've enquired with our Highways Officers concerns you raised about access and the sweeping out of the sites and so forth and yet again the advice back from Highways Department is they are properly formed accesses, they are coming in one way and exiting onto Bankwood Lane from another so those accesses are satisfactory. It still doesn't mean that what they are doing is correct, it is unauthorised and before we do decide to take any action we just need to think about this a bit more carefully especially about the issue raised about lots of vehicles parking up West End Lane, we have to think of the implications if we shut that lorry park and what that might do to vehicles if they want on to the public highway making that situation worse so there is potential for a temporary permission to be applied for, we would then go through the proper consultation phase, you would let look at the issues being raised properly as part of a temporary planning application submission and come to a conclusion following consultation with residents and so forth as to whether that would be a good approach. So we are still looking into that. But for now it is an unauthorised use.

WARD CLLR: After the meeting we had last Friday, you met with Morris Metals, was there any mention of why they haven't met their planning regs since 2005. With the capacity increased from 75 to 200,000 tonnes, why haven't they amended their planning regs to accommodate

the increase? No environmental impact assessment has been done on that site since they increased their capacity. They are using both sites to process this material.

DMBC: Attero and the Morris site?

WARD CLLR: Yes!

PUBLIC: Attero wagons are coming out through Morris scrap yard?

DMBC: Morris Metals said they do use the same haulage firm. The planning permission does allow them to do what they are doing on that site.

WARD CLLR: Are they recycling what they state in their planning permission

DMBC: We asked them that and they said they are still recycling tin cans.

WARD CLLR: Can we be clear about this, people are shaking their heads as if there is nothing they can do about this?

DMBC: As I said the breach of condition notice on Attero evidencing they are operating outside their hours, we need to consider the implications of that HGV temporary holding area at this moment in time the Environmental Health and Highways are saying to me that it's acceptable. If a planning application was put in, and I don't know if Attero would put in a planning application we would need to take some kind of formal action to cease the operation, but if we do have discussions with Attero to regularise the site for a temporary period we would then have the opportunity to put in controls over its usage in terms of hours it is being used and the hours it needs to close by so we can try and bring that under some control. Behind the scenes Attero are taking on board your concerns, they are wanting to expand their operation and we are making it very clear to Attero they need a much better set up for HGV parking on their site and not close to residents. We are still having those discussions.

WARD CLLR: And when does that time run out as it's been going on since October 2015.

DMBC: We have a pre-application which I can't go into too much details as a pre-application is confidential part of the process. I have expressed the concerns residents have raised to Members to Attero. We gave a formal pre-application back to them a month or two after they submitted, Attero have gone away and revised their plans and have tried to incorporate these concerns into a re-design of the scheme. We are closer to the end of that pre-application process which will then shape a formal planning application.

CLLR: Can you tell us exactly what waste is coming in on these lorries and where's it coming from?

DMBC: I can't tell you that. That's an Environment Agency matter, the nature of the waste, the type of waste, the tonnage in their permit. Planning is a very broad overview of the land.

CLLR: What's coming in on these lorries is not metal!

WARD CLLR: On the planning application, nothing other than uncontaminated excavated materials should be coming onto the site but you're telling us you don't know what is coming in on those lorries so how can you say they're complying with their planning application? You've got to know what's on that site! You've got to go down there and look what they're bringing in if it applies with this planning approval, if it doesn't they're in breach.

DMBC: That's what we're trying to do with the Environment Agency.

WARD CLLR: The planning application is part of your department, you have to do something as it's under this planning application document and the conditions put on it. This is from 2005/6 so why haven't you been doing it since then?

DMBC: Because it's regulated under the Environment Agency.

WARD CLLR: It's got to be regulated by you as it's under your planning regulations

WARD CLLR: Is it coming from Great Heck? They went into liquidation, the Environmental Health said clear it and since then it's been coming here and if that's so we don't want it!

CLLR: Are you working with the Environment Agency. My concern is the escape of waste from the Attero site, if you go down there now it is so noticeable. The mounds are getting bigger and bigger, you can see all the loose waste on top.

DMBC: The Attero has a planning condition that no waste can be higher than 5 metres so if they are exceeding that there is something we can do. With regard to escape of litter or rubbish from the site it's an Environment Agency issue.

CLLR: Do you have a joined up approach with the Environment Agency because if they don't come together they shouldn't get the planning application because they're not meeting the planning regs.

WARD CLLR: I've spoken to the Environment Agency today and Attero are in breach and that's a fact. The Environment Agency has gone out today to do a spot check on the Morris site and will call me tomorrow to let me know what their findings are, I would not be surprised if they are not also in breach of those restrictions. So I'll know more tomorrow. It's their duty to inform planning if the classification of the waste material changes. It appears to everyone here that Planning are just sitting back taking any notice.

DMBC: We're not sitting back. I have been trying to get Environment Agency involved in discussions and I will keep trying.

CLLR: Why does everything take so long?

DMBC: We have to gather evidence, we are happy with the evidence we've gathered and they are breaching their terms of condition we can serve them with a notice.

CLLR: You need bigger teeth?

DMBC: You need to speak to the Government because that's the only tool we have!

CLLR: I'm just sat here in amazement quite frankly, you say you're sat here tonight listening to these people's concerns, we wrote to you there's a letter from the Parish Clerk from last November raising the very same issues we're talking about tonight. The only response is our officers have been down there and they're not in breach of planning. You expect to work with us. We're very, very patient around here, what we should have done is block the road off, we've tried to do it the right way and not response. This is the first time anyone's been, someone should have come to the last meeting. It's the most important thing that's happening in Rossington. The only reason all the lorries are here is because they're stacked up around Doncaster. It was a small family business, a major company comes in and buys it out and does exactly what they want. It's totally unfit for business. It could only happen down Bankwood Lane because that's what Bankwood Lane is made up of. Quite frankly you don't even know who's down there. We've had pallet fires, tyre fires, you didn't do anything about it then and you still don't do anything about it. I've not even had the courtesy of a phone call back from the Environment Agency, I've had to contact them on every occasion to find out what they're doing, they just say that's a Doncaster Council issue, that's a Doncaster Council issue. Doncaster Council say it's an Environment Agency issues. You're just batting from one to the other. We went to our MP and we're still awaiting a response. It's just a total Joke! All the paperwork is here, all the complaints are here, you can take it away with you. We're about sick and tired of it!

CLLR: I was so sick of everything I went down and took some pictures, they're all here if you want them. I been down there every morning early and I mean early to get the photographs, we've got people moaning and we've just got to put up with it. We might just as well walk away. Nobody is listening to us! I'm asking you now in front of everyone to sort this out! If a company applies to the Environment Agency to expand to take more waste or to take a different kind of waste the process before would be they'd come to the Local Planning Authority, we would then have an opportunity to feed into that process. With the slimming down of legislation streamlining the Environment Agency and Planning interaction that was done away with so the Environment Agency can provide permits without any consultation with the Local Planning Authority.

CLLR: We cannot get anyone from the Environment Agency to respond.

WARD CLLR: Unfortunately Caroline Flint has the same problems as everyone else in that the Environment Agency just ignore her. They are clearly a law unto themselves!

CLLR: We don't want to see the operations on Bankwood Lane expanded. We do not want it expanded. It's not fit for residential area. Our final move is to go the Environment Secretary.

4511 ANNOUNCEMENTS

- The Police and Crime Commissioner will be going to Rossington Police Station at 2.00 pm on Monday 15 March 2016. He is also interested in the Bankwood Lane traffic situation and the quad bike issue. Three Ward Cllrs will be in attendance.
- The Parish cannot have the Right to Buy the Bankwood Allotments but an extended lease is possible.
RESOLVED to note the Clerk to arrange a meeting with Tracey Harwood.
- A meeting with Hazel Sykes informed that the funding for the iport training centre is over an 8 year period and is not just for Rossington but for the whole of Doncaster for skills and training. It was located at the Welfare because it was the nearest place for the inland port. The facilities available there enabled marketing to incoming companies
- **RESOLVED** to note the Clerk to invite Hazel Sykes to a future meeting.

4512. APOLOGIES AND APPROVAL REASONS FOR ABSENCE

RESOLVED to note apologies and reasons for absence were received from A M Hammond, C Beaumont, K Connolly, D Harper and B Johnson which were approved by the Parish Council.

4513. DECLARATIONS OF PERSON AND PREJUDICIAL INTEREST

RESOLVED to note there were none.

4514. TO CONSIDER THE APPLICATIONS FOR CO-OPTION OF INTERIM COUNCILLOR ONTO THE PARISH

RESOLVED to note that Raymond Greaves was voted in as the interim councillor onto the Parish by all the Cllrs present at the meeting.

4515. CO-OPTION OF INTERIM COUNCILLOR

RESOLVED to note the following:

- Item to be deferred to the Parish Council meeting on 8 March 2016
- The Clerk to write to potential interested parties inviting them to the next meeting.

4516. ENVIRONMENTAL IMPACT FROM INCREASE IN TRAFFIC

RESOLVED to note Clerk to invite representation from Doncaster Highways to a future meeting.

4517. MINUTES OF THE PARISH COUNCIL MEETING ON 9 FEBRUARY 2016

RESOLVED to note the minutes were passed as a true record proposed by J Gibson, seconded by J Parkin.

4518. MINUTES OF THE GOVERNANCE COMMITTEE MEETING ON 16 FEBRUARY 2016

RESOLVED to note minutes were passed as a true record proposed by W Reynolds, seconded by J Parkin.

4519. MINUTES OF THE PLANNING COMMITTEE MEETING ON 23 FEBRUARY 2016

RESOLVED to note minutes were passed as a true record proposed by J Parkin, seconded by J Gibson.

- 4520. MATTERS ARISING**
Item 193.3 16/000158/FUL Back Row Cottages. Littleworth Lane, Rossington, DN11 0RS
 Erection of dormer bungalow following demolition of existing buildings
RESOLVED to note the a site visit is arranged for 10.00 am on Thursday 10 March 2016
- 4521. MINUTES OF THE PROJECT COMMITTEE MEETING ON 1 MARCH 2016**
RESOLVED to note minutes were passed as a true record proposed by J Rowland-Johnson, seconded by A Harper.
- 4522. TO INVESTIGATE SETTING UP A LITTER PICK DAY IN ROSSINGTON**
RESOLVED to note the Clerk to promote on the Rossington Parish Council 2016 Facebook.
- 4523. FINANCIAL UPDATE**
RESOLVED to note the following:
- | | | |
|---------------|--|------------|
| 4523.1 | Current Account Balance as at 7 March 2016 | £16,745.67 |
| 4523.2 | Savings Account Balance as at 7 March 2016 | £50,422.61 |
- which includes the RecyCoal grant of £17,638.79
- 4523.3** **RESOLVED** to note the payment for the Memorial Hall Tiling Bill was paid out of the Parish Council account as the memorial Hall does not have a Debit Card. The payment will be transferred back to the Parish Council.
- 4524. TO APPROVE AND ADOPT:**
- 4524.1 STANDING ORDERS**
RESOLVED to note the Standing Orders were approved by all Cllrs present at the meeting.
- 4521.2 FINANCIAL REGULATIONS**
RESOLVED to note the Financial Regulations were approved by all Cllrs present at the meeting.
- 4525. PAYMENTS FOR NOTE**
RESOLVED to note the payments were accepted by the Parish Council, proposed by A Harper Beaumont, seconded by W Reynolds.
- 4526. TO NOTIFY THE CLERK OF MATTER FOR INCLUSION ON THE AGENDA FOR THE NEXT MEETING**
RESOLVED to note the following:
- Update on the RecyCoal Country Park
 - Update on Bankwood Lane
- 4527. TO CONFIRM THE DATE AND TIME OF NEXT MEETING**
RESOLVED to note the next meeting will be at 7.00 pm on Tuesday 12 April 2016