

Minutes for the Ordinary meeting held at The Village Hall, Kirby Misperton on Tuesday 29 September 2015 at 7.30pm

Present; Cllrs Wicks (Chair), Corton and Edmonds

Also present; Miss S Brown (Clerk) and 9 members of the public

1. Apologies for absence were received and accepted from Cllrs Dussold and Sanders
2. Declarations of Interest in items on the agenda were received from Cllrs Wicks (Chairman), Corton and Edmonds

The Proper Officer instructed that as the interest was currently non-fiduciary and the operation of the Parish Council would be restricted it was in the best interest of the electorate for the meeting to continue.

3. Minutes and Matters arising:
 - a) The minutes of the Meeting held on 11 August 2015 were approved
 - b) The minutes of the meeting held on 28 July 2015 were approved
 - c) There were no matters arising from the meetings 11 August 2015 and 28 July 2015 not covered elsewhere on the agenda

4. A member of the public made representation regarding item 5a in respect of KM8, the statement was in support of the application giving economic benefit in the greater community.

A member of the public made representation subsequent to his return from Pennsylvania indirectly but as a member of "Frack Free" but comments raised regarding differences of initial transport movements and current movements stated in the application. Concern was raised regarding water course and effect on water supply. The initial implication of the leaflet is different to that application and misleading

A member of the public who wished to make representation as a resident on a corner raising concerns regarding the traffic as a result of non-pipe extraction of fluid based on the previous problems experienced when HGV traffic was diverted through the Village

5. Planning
 - a) The Council considered planning applications received by the Clerk from NYCC and Ryedale District Council since the previous meeting

[NY/2015/0233/ENV](#) Kirby Misperton shale gas application by Third Energy

Prior to the discussion the Chairman read out guidance regarding planning basis for comment. In coming to the decision the Council noted certain points including areas which they felt required clarification;

Reference was made to a previous application NY/2012/0338/FUL where conventional testing was to be the base of the application – the current plan indicates that this was expanded but to date no known enforcement has occurred.

The Council request clarification regarding the property at “Sugar Hill” as the content of the application indicates non-habitable dwelling but notices for habitable dwelling status have been applied to this location.

The Council noted that the most significant impacts would be through the first 2 phases of the activity impacting Public Rights of Way (PROW)25.53/4/1

PROW 5.53/5/2 The activity of the operation will destroy the visual impact from public right of way. In addition to this the Council note that the increased traffic to and from the applicant site will raise Health and Safety issues for the use of the public right of way which use Habton Road in an area where no footpath or pedestrian protection is in evidence

Concerns were raised regarding the frequency of HGV activity on top of the current traffic load between specified hours which include school transport times.

The Council felt that some mentioned activity (both vehicular and operational) was less than specific but gave flexibility on behalf of Third Energy to expand actions which would normally require more stringent control had the activity been included in the application

The 2nd phase lighting does not qualify the possible impact and although reference to the lighting management plan there is again room for expansion beyond that currently stated

Concern regarding the type of noise not the specific decibel level has been previously raised and there appears to be lack of mitigation regarding the impact

Councillors then put forward bullet point notes for other areas of concern as the Standing Order individual Councillor presentation was at its’ limit – these included

Air Quality – pollution
Pollution to the water table

The Council then voted on the response to the application and the following result was recorded

The Council objects to the planning application based on traffic, air quality and water stability.

Should NYCC support the application the Council requests that the following areas are considered;

1. Concerns are raised regarding the impact of additional HGV activity and based on previous experience when diverted vehicles come through the

Village from access issues at Amotherby;

The lack of enforcement due to speed and number through the Village – The Council requests that full traffic monitoring including speed and volume of traffic be recorded and made public and possible provision of static Matrix signs be placed at Village access points

2. The traffic management plan to take into account the concerns already voiced by residents including a commitment to avoid school bus activity.
3. The Council in respect of Air Quality requests that independent monitoring and enforcements be in place should permitted levels be exceeded
4. The Council requests that independent water quality monitoring continues to take place

- b) The Council received information regarding pending decisions and note the planning applications still under consideration by Ryedale District Council and NYCC outstanding;

[15/00658/HOUSE](#) Erection of replacement front boundary fence | 7 Woodlands Main Street Kirby Misperton Malton North Yorkshire YO17 6XW

Approved

[NY/2015/0116/FUL](#) Installation of up to five (5) water monitoring boreholes comprising three shallow boreholes (approximately 10 metres in depth) within the KM8 Well site, one intermediate borehole (approximately 50 metres in depth) and one deep borehole (approximately 220 metres in depth) within the adjoining KM1 Well site

Pending decision

[NY/2015/0218/A27](#) application for the approval of details reserved by condition No.'s 6, 8, 11, 12, 24 and 27 of Planning Permission Ref C3/14/00005/CPO which relates to highway improvements, culverting of the watercourse, precautions to prevent the deposit of mud on the public highway, provision of storage areas, surface water drainage and landscaping

Pending decision

6 To consider financial matters

- a) The Council received the financial statements in respect of funds held and money movement since the start of the financial year
- b) The Council approved and issued cheques in respect of the attached cheque list

7 To consider responding to the public consultation document in respect of the current Habitat Regulation Assessment 14th Onshore Oil and Gas Licensing Round and the Habitat Consultation (Link below)

[Habitat Regulation Assessment Consultation](#)

The Council decided not to respond to this consultation.

- 8 To consider maintaining either by independent sourcing or delivery from NYCC the salt bins and heaps in the Parish Council area not considered required maintenance by NYCC

Bulk Bag about .89tonne £102+Vat

Council agreed to source the salt for bins independently

- 9 The Council received information from the Clerk

Received today application meeting requ,d

YLCA 6 October

Notification of Public Health Event 1 October 2015

- 10 Questions to and information from the Chairman

The Chairman reported his attendance at the Amotherby Ward Meeting attended by the District, County Councillor, Maggie Farey and Clerks and Councillors from the ward area. The Head of Corporate Services also attended The meeting discussed website and open data management. The electoral register canvas is taking place. RDC is to stop receiving direct deposits at Ryedale House

Further discussions took place regarding Hydraulic Fracturing and Traffic Management.

Next meeting Wed 16 March at Habton

- 11 To note the date of the next meeting – 22 October for planning next ord mtg 24 November 2015

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