

FOSTON & THORNTON-LE-CLAY PARISH COUNCIL

**MINUTES OF PARISH COUNCIL MEETING HELD
ON WEDNESDAY 07 JULY 2021 AT 7.00PM IN THE GROUNDS OF THE FIRS, LOW STREET,
THORNTON-LE-CLAY (by kind permission of Parish Councillor Chris Walker)**

Councillors Present: Simon Burton Evelyn Conlon
David Johnson Bryan Pillow
Christine Walker

In Attendance: R.D.C. Councillor Eric Hope
Fiona Hill – Parish Clerk

Public present: 19

Prior to the start of the meeting the Chairman gave a disclaimer that everyone was present at their own risk. She also explained that the meeting was being held outdoors in line with covid-19 guidelines and that it was not possible to do a covid risk assessment for indoors for the number of people expected to be present. She asked that everyone social distance or wear masks.

22/27a To receive apologies for absence given in advance of the meeting:
Parish Councillors Calum Balding and Paul Readey

22/27b To consider the approval of reasons given for absence:
Resolved – Approved (Unanimous)

22/28a To confirm the minutes of the meetings held on Wednesday 05 May 2021 and Thursday 20 May 2021
Resolved – Approved (Unanimous)

22/28b To confirm the minutes of the Annual Parish Council Meeting held on Wednesday 05 May 2021
Resolved – Approved (Unanimous)

22/25 Public comment – Members of the public spoke in accordance with Standing Orders - time limited to 1 minute at the discretion of the Chairman.

Approved Chairman

Date.....

22/26 To discuss new planning application received:

21/00861/FUL – Change of use of the Public House to form 1 no. five-bedroom dwelling house, alterations to the rear window configurations, erection of porch to front elevation and erection of three bay domestic garage with soft landscaping to front (part retrospective) @White Swan Inn
Resolved – Objects (Unanimous)

“The Parish Council, at its meeting on 7 July 2021, voted to object strongly to the application for change of use of the White Swan public house to a private dwelling.

The White Swan closed at the beginning of the pandemic when all pubs were required to close. Due to difficult family circumstances with the owners and a rent increase which the tenants could not afford whilst the pub was shut, the tenants had to leave the pub and were not able to buy the pub when it came up for sale very quickly afterwards. Mr & Mrs Harrison bought the pub and originally said that they would open a small bar at the front of the pub for a couple of nights/week for drinking only. This would never have been a viable option financially for them & they must have known that when they bought the pub. Mr & Mrs Harrison said that they did not intend to run the pub as a dining venue despite the success of that format in the past.

The pub had been trading as a vibrant and successful dining & drinking pub, with people from the many villages around and from further afield regularly eating there. Trip Advisor comments were very positive, with the White Swan being described as “a hidden gem” by York local press. It was open 5 days per week & evening meals and Sunday lunches frequently needed to be booked because it was so busy. The tenants at the time confirm that it was a profitable business for them as it had been for many years previously. It was open for coffee mornings every week – a good community event for socialising, particularly for people living alone in the village – and for music nights & themed evenings, with food, throughout the year. Use was made of the extensive patio & garden area to the rear, where events were held and families could socialise outside whilst providing a safe space for their children – something that is even more valued now. Many events were run in conjunction with the village hall, so far from being a competitor, the two village venues ran successfully in tandem.

Also, the previous tenants employed a number of local people, including young people who were experiencing the workplace for the first time. That enabled these younger people to enhance their interpersonal and communication skills and gain confidence in dealing with customers.

During the last year, Mr & Mrs Harrison have begun a series of alterations within the public area of the pub & garden, without any planning application being submitted and with no regard to planning controls. These alterations have completely gutted the interior of the pub including taking out the pub toilets & bar. They have greatly reduced the areas at the back of the pub which were usually available for car parking and outdoor events in the large garden. The extensive car parking area was made available for village hall events and as overflow car parking for the village school - a significant factor in avoiding congestion at the school entrance at busy times.

The Viability Report that has been carried out by Fleurets is simplistic, lacking in rigour and relying on cut and paste paragraphs which add little value to this planning application and do not represent a true and fair view of the local area, the type of local competition and how the pub operated prior to its closure in March 2020.

The report does not reflect the area around Thornton-le-Clay accurately. It is obvious that there was no attempt to find out more about the local area and the other pubs and eateries around and what their client base is. To our knowledge the author made no effort to interview any members of the local community. The White Swan has operated successfully for a number of years alongside the other dining pubs in the area that serve a similar clientele.

The report mentions one or two small villages but does not say that the larger town of Strensall is very close and that a number of people came to the pub from there and from York and Malton as well as from villages and towns further afield. Friends and relatives of local people, as well as people on business would regularly choose the White Swan as a venue for an informal dining experience. So one can see that there is a large catchment for a quality dining pub as shown when it was trading previously. Also, there are popular visitor attractions nearby, most notably Castle Howard and many b&bs and holiday lets including a new camping site nearby in Flaxton. The pub is also within the catchment of the A64 - a route used by many tourists.

The pictures in the Viability Report show the pub as it is after Mr & Mrs Harrison gutted the interior and do not, therefore, give a fair view. Looking at the photographs from the sale particulars give a clear view of how the pub looked prior to this sale. It is also misleading to refer to the White Swan as a 'former pub'. The statements say that there were no toilets & bar but these were there when Mr & Mrs Harrison bought the pub. Also there was plenty of car parking at the rear of the pub, accommodating upwards of 20 cars if necessary. The pub is within walking distance for the local villagers. The public area at the back of the pub

Approved Chairman

Date.....

not only consisted of the patio, as stated in the report, but the whole garden. There were tables & seating at the front of the pub as well.

The Viability Report purports to present accounts that show that the pub could not be viable. These accounts are taken from standardised accounts of the British Beer and Pub Association and do not form the reality of this pub in an area like this. Standardised accounts are too random & unrepresentative for a decision to be made on the viability of a particular pub. To include rates of return on purchase price and all utilities as part of the annual costs of the pub is flawed as at least 50% or more of these would come out of a landlord's private income, as they would for anyone buying their own private property. They should not be included to determine the viability of this pub.

Considering various policies and reports:

- National Planning Policy Framework February 2019 (NPPF) and the applicable policies therein:

83. "Planning policies and decisions should enable:D)the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship".

92. "To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:C) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs."

We believe that both these policies should point to a refusal to agree to the change of use of the White Swan from pub to private house.

-The Ryedale Local Plan Policy SP11 says:

"Existing local retail, community, cultural, leisure and recreational services and facilities that contribute to the vitality of the towns and villages and the well-being of local communities will be protected from loss/redevelopment unless it can be demonstrated that:

- there is no longer a need for the facility or suitable and accessible alternatives exist, or
- that it is no longer economically viable to provide the facility...."

We believe that there is a need for the pub in the village as referenced by how busy and popular the pub was when last trading and that it was proven to be a viable business.

-Ryedale and District Council commissioned tourism destination report 2020, update April 2021:

This report is designed to promote Ryedale as a tourist destination and take economic advantage of its position straddling several key routes between population centres, attractive coasts, rural areas and tourist attractions in Ryedale and its neighbouring districts. Particular mention is made in the report of the growing reputation of Ryedale for food and drink. The report adds weight to the widely recognised impact of the “staycation” movement, localism, carbon footprint reduction and the clear subsequent growth in camping and caravan sites, b&bs and holiday lets enhance the tourist footprint in Ryedale.

We hope that Ryedale District Council would be very supportive of such outlets as the White Swan, which provide good quality food and drink not only to local communities but to the many tourists that visit the area.

In summary, The White Swan was profitable, well-used and a place for locals to gather to socialise & get to know each other, as well as addressing social isolation and the wellbeing of the community, both physical and mental, and can be again if it retains its licensed use and is run by the right people”.

Covid -19 Risk Assessment for EGM Parish Council on 07 July 2021

The meeting will be held outdoors in the grounds of The Firs, Low St, Thornton-le-Clay.

The 5 councillors and the Parish Clerk to be present will be seated 2m apart with their backs against the wall. Public will stand on 3 sides around them, socially distanced & wearing masks if they wish. If more than one row of people then extra rows must stand 2m behind the first row. The first row of people will be at least 3m or more away from councillors.

Entrance to the meeting is through the 12m wide gateway into the grounds. There are no pinch points less than 12m wide on the way to where the meeting is to take place. Exit will be via the same way after the meeting. Whilst most people will walk to the meeting, any cars will be parked on the public roadside.

Approved Chairman

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