**Broughton Parish Council**

Minutes of the meeting of Broughton Parish Council held at Little Broughton Village Hall on Tuesday 28th November 2017 at 19:00.

**Present:** Mrs Mary Bradley (Chair), Mrs Sue Hannah, Mrs J Sewell, Mr Richard Gildert, Mr John Wilson, Mr Steve Hannah, Mrs Alison Carruthers, Mr Bill Smith, Ms Becx Carter (Clerk), 2 members of the public (Mr T Hobden & Mr J Dobie)

**Apologies:**

A/BC Cllr J Farebrother, A/BC Cllr N Cockburn,

The Council was quorate with more than four councillors present.

**193/17 Apologies for absence**

Apologies were received and noted from the above

**Resolved** that it be noted that Mr Sam Anderson had resigned from his role as a Parish Council. The Council formally noted their thanks to Mr Anderson for all his work as Councillor, Vice Chair, on the Allotment Sub Committee & in undertaking play area inspections.

It was noted that Cllr M Bradley and the Clerk had both sent Mr Anderson letters of thanks on behalf of the Council.

The Clerk informed the meeting that notice had been served on both noticeboards & to Allerdale Borough Council notifying them of the vacancy. Confirmation will be received in December on if an election has been called.

**Resolved** by all present that as Cllr R Mawdsley has not attended meetings nor submitted apologies for 6 consecutive meetings that as per S.85 of the Local Government Act 1972 he be disqualified as a Parish Councillor.

**Action: Clerk to file the appropriate paperwork with Allerdale Borough Council.**

**Action: Clerk to write to Mr R Mawdsley thanking him for his work as councillor and notifying him of the disqualification.**

**194/17 Chairman’s Announcements**

*Allotments Meeting*

Cllr M Bradley informed the meeting that the meeting of all Allotment Tenants had taken place on Monday 6th November 2017 with approximately 1/3 of Allotment Holders in attendance. The ballot paper has been circulated to all tenants along with a copy of the revised tenancy agreement and the presentation that was delivered during the meeting on the 6th November 2017. The Ballot is open until the 20th December 2017 and the results will be tabled before Broughton Parish Council at their meeting on the 23rd January 2018.

*Soddy Gap*

**Resolved** that it be noted that following the Development Control & Regulation Committee on the 1st November 2017 the application to register the Bridleway and two associated footpaths on Soddy Gap were approved by Cumbria County Council.

**Resolved** that formal thanks be noted to Cllr Sue Hannah, Becx Carter (Clerk) and all others including members of the community who completed the evidence forms for their work and perseverance on the registration of this Bridleway and Footpath.

It was noted that the notice regarding this has not yet been ‘made’ by Cumbria County Council and it is anticipated that this will take place on the 15th December 2017 with objections to be received within a set period of time from this date.

**195/17 Requests for dispensations and declarations of interest**

None received

**196/17 Election of Vice-Chair & member of the Planning Sub Committee**

Following the resignation of Mr S Anderson these two positions had become vacant.

Cllr Sue Hannah proposed Cllr J Sewell as Vice Chair, this was seconded by Steve Hannah. **Resolved** by all present that Cllr J Sewell be elected as Vice-Chair of Broughton Parish Council.

Cllr Sue Hannah proposed Cllr R Gildert take the place on the Planning Sub Committee, this was seconded by Cllr J Wilso with all present in favour. **Resolved** that Cllr R Gildert be elected on to the Planning Sub Committtee.

**Action: Clerk to update the website with these elections.**

**197/17 Minutes of the meeting held on the 17th October 2017**

All members of the council had received a copy of the minutes.

**Resolved** by all present that the minutes be signed as a true and accurate record by the Chair Mrs Mary Bradley.

**Action: Clerk to upload the minutes to the website.**

**198/17 Application for Co-option (2 Vacancies)**

None received

**199/17 Public Participation**

Prior to the Chair opening the floor to the public she confirmed that public participation was allowed under the Council’s standing orders at the discretion of the Chair. As standard public participation will be 3minutes per person with a session length of 10mins. Subject to the Chair’s discretion this section of the meeting can be shortened or lengthened.

Mr J Dobie attended and informed the meeting that he and a number of other allotment holders were working together to come up with a list of queries regarding the current process and ballot to have one tenant/a couple of tenants speaking to the Parish Council rather than many queries from different sources.

The Parish Council thanked Mr J Dobie and the allotment tenants for this approach.

Q: Mr J Dobie asked if there was to be another meeting of all allotment holders in January 2018?

A: There is no meeting scheduled for January for all allotment tenants as how things proceed from January will depend on the outcome of the Ballot which is currently with all allotment tenants for consideration and completion. If the ballot decision is Option 1 (Parish Council managed sites) then the Parish Council will lay out the process going forward from January in accordance with the presentation given on the 6th November 2017. If the ballot result is Option 3 (formal allotment association/s formed and management transferred to them) then the process from that point will be laid out by the allotment association in line with timescales for the preparation of the appropriate legal structure and agreements regarding the formation of an association.

If the Parish Council continue to manage it then the Parish Council will consider the Allotment Budget going forward in March time. The figures presented on the 6th November 2017 were based on previous revenue costs and an estimated budget for future years. This budget has not yet been agreed as once again it depends on the outcome of the ballot. If tenants select Option 3 then the budget setting would be responsibility of the allotment association/s.

Cllr M Bradley noted that following the formal measuring the Council are aware that there are 3 or 4 plots where revised measuring is required due to accessibility/boundary definition issues during the formal measuring process. These will be reviewed once the outcome of the ballot is known.

Q: If the tenants want questions regarding the current situation/process answered how should they be raised?

A: Questions should be addressed in writing (via email) to broughtonparishclerk@hotmail.com a response will then be provided direct to the person but the response will also be copied to the Allotment Noticeboards, the Parish Council website and be circulated to all tenants who have provided email addresses for transparency purposes.

Q: If Option 3 (Allotment Association) was selected who would set the budget for this organisation?

A: This would be the responsibility of the allotment association themselves (subject to clarity on exactly which responsibilities and liabilities would be transferred to them as part of the formal legal agreement)

Q: What is the position regarding the small holdings registered on the sites.

A: To the councils knowledge there are no formal small holdings on the sites (both sites are registered allotment sites), any historic agreements regarding the keeping of pigs/sheep on the plots have been granted at the discretion of the Council. If Option 1 or 2 is selected on the Ballot then any plot holder subject to such a discretionary agreement would need to re-apply to the Parish Council for such consent.

Q: What would the rental fee be that would be charged between the Parish Council & an Allotments association if this were to be the result of the Ballot?

A: It would be a peppercorn rent which would be subject to due diligence, and appropriate advice on the responsibilities/liabilities to be transferred.

Cllr S Hannah noted to the meeting that there is one key advantage to an Allotment Association being formed (subject to the result of the ballot) which is that such an organisation would be eligible to apply for grants which the Parish Council is not.

Q: In terms of liabilities/responsibility if an allotment association failed who would be responsible?

A: Legal advice would need to be obtained from both sides, but ultimately the land would default to the Parish Council as the landowner, it would however in all probability be a condition of any legal agreement between the Parish Council and an Allotment Association that appropriate insurances are in place to protect against any liabilities defaulting to the Parish Council in the event of an organisational collapse.

Q: In the event that the tenants select Option 3 (formation of an Allotment Association) they will require advice, will the Parish Council provide this advice?

A: No the Parish Council is neither qualified nor an expert in the formation of Allotment Associations. The association would be sign posted to various support avenues for them to seek independent support e.g. Cumbria County Council social enterprise support, Action with Communities in Cumbria, National Society of Allotments & Leisure Gardens. If the tenants are concerned about this, this should be raised as a formal question on the list being sent to the Council.

Mr T Hobden noted to the meeting that 6 weeks from the presentation meeting to the close of the ballot deadline is too short for tenants to make such a decision regarding the setting up of an Allotment Association.

Cllr M Bradley clarified that there are two fundamental points, 1) have you got at least 3 people who would be willing to take up the official roles of office if an allotment association were formed (Chair, Secretary & Treasurer) and 2) do you have sufficient support from the tenants of the site/s in terms of the response to the Ballot to carry this option. Without these two being satisfied then an Allotment Association is not viable. All the other information/detail will then become clear following the ballot as the sites move forward.

**200/17 Police report**

1. It was noted that the police are proposing new ways of interacting with Parish Councils by holding meetings every 10 weeks to which all Parish Councillors in a PCSO area would be invited to enable all a real time/live flow of information between Parish Councils & the Police. It was noted that the next meeting was on the 17th January 2017 at 19:00 in Cockermouth Police Station.
2. A response from Inspector Rachel Gale regarding the tone of the Call Handler on a 101 incident report to Cllr A Carruthers was noted as received by the meeting.
3. Consideration of creation of Youth Club. The Clerk informed the meeting that PCSO A Ostle had been in touch to request that the Parish Council consider setting up a Youth Club to help deal with the issue of large groups of young people congregating in the Village. This is not something the police would be able to support/run but could pop in on occasion if they were on shift and passing.

**Resolved** by all present that whilst a Youth Club maybe valuable there is still an on-going issue with young people being dropped off in to the Parish due to a reduced police presence in Great & Little Broughton compared to Workington, Cockermouth, Whitehaven etc. It feels to residents within Broughton Parish that the way that the police treat rural areas is different to the way urban areas are treated.

**Resolved** by all present that a post be placed on social media asking if there are any interested volunteers who maybe interested in setting up a Youth Club in the Parish, and that enquires be made as to if there are still Youth Development Workers

**Action: Cllr A Carruthers to put a post on to Great & Little Broughton Crack and ask people to contact the Clerk if they are interested.**

**Action: Clerk to forward the contact details of any interested parties to PCSO Ostle.**

**Action: Clerk to contact Cumbria County Council/Cumbria Youth Alliance to establish if there are youth development workers and seek their advice.**

**201/17 Update on matters arising from previous meetings**

1. *Heritage Lottery Signposts Project*

A draft Memorandum of Understanding has now been received from the County Council to enable the Parish Council to take over the maintenance of the fingerposts.

**Action: Clerk to circulate the draft M o U to all councillors to read in advance of being signed at the January 2018 meeting**

**Action: Clerk to agenda this matter for the January 2018 meeting.**

1. *Hearing Loop for the Village Hall*

Cllr M Bradley is still working on this matter.

**Action: Clerk to agenda for the February 2018 for Cllr Bradley to provide an update as Cllr Bradley has submitted apologies for the January 2018 meeting.**

1. *Digital Inclusion Events*

It was noted that an upcoming change in legislation would mean that service providers would have to declare what anticipated speed users would get if 50% of all homes in the area were using their service at the same time.

**Resolved** by all present that following the presentation provided by Mr P Rushton at the October 2017 Parish Council meeting the Council don’t wish to proceed with organising a digital inclusion event as it is likely that it wouldn’t be a holistic event covering when/if houses will be able to access Superfast Broadband, and when/if infrastructure will be replaced which is a common concern within the Parish.

**Action: Clerk to communicate this decision to Mr P Rushton and thank him for attending the October meeting.**

1. *Graveyard Extension/Green Space*

The Clerk informed the meeting that the Parochial Church Council have now formally resolved that they are unable to take on this area of land as a graveyard space due to the lack of financial and volunteer resources.

**Resolved** by all that the Clerk contact Persimmon to open a dialogue on the possibility of the transference of this piece of land to the Parish for the purposes of community green space and possible use as a community heritage area.

**Action: Clerk to contact Persimmon and agenda for the January 2018 meeting.**

1. *Fishing Statement of Truth for Land Registry*

It was suggested by Councillors and members of the public present at the meeting that Mr Paul Hunter (Broughton Anglers) and Mr Ray Dobie maybe able to provide such a statement. Mr John Dobie who was present at the meeting agreed to provide Mr Paul Hunters contact details to the Clerk.

**Action: Clerk to contact the two individuals and ask if they would be willing to provide a statement regarding the Parish Council fishing areas once guidance has been received from the Councils solicitor on the format this statement should take.**

**202/17 Clerks Report**

1. *Community Governance Review*

**Resolved** by all present that a request be submitted to Allerdale Borough Council for a Community Governance Review on Broughton Parish Council in particular with relation to the number of council seats and long term councillor co-option vacancies.

**Action: Clerk to submit the request to Allerdale Borough Council**

**203/17 Play area**

1. *Fortnightly Inspections*

Following the resignation of Sam Anderson the Council need a new councillor to volunteer to undertake the fortnightly inspections.

Cllr J Wilson volunteered to take on this role.

**Resolved** by all present that Cllr J Wilson’s offer be accepted.

**Action: Clerk to provide Cllr J Wilson with copies of the relevant forms for completion.**

**204/17 Reports from visiting Councillors**

*Allerdale Borough Council:*

The Clerk informed the meeting that Cllr N Cockburn is currently working on appeal documentation relating to Ref 2/2016/0751 (Land North of Broughton Park- Erection of up to 64 Dwellings), and Ref 2/2017/0411 (Field, Harris Brow, Outline application for new dwelling).

**Action: Clerk to contact A/BC Cllr N Cockburn to ask her to get an update on the A66 Roundabout project as with the darker nights, lower sun, weather conditions more near misses are being noticed at the Broughton/Brigham Junction.**

*Cumbria County Council*

Cllr H Graham was not present at the meeting, the Council requested that the Clerk raise the below issue with him.

**Action: Clerk to contact C/Cllr H Graham and ask him if there was any result from the suggested list of Highways Projects in the area.**

**Action: Clerk to thank Cumbria County Council Highways and copy in C/Cllr H Graham for their work on the trees around the bus shelter at Great/Little Broughton Junction.**

**205/17 Allotments**

1. *Consideration of appeal against Termination from Mr Ashbridge.*

**Resolved** by all present that following consideration of the information provided that the termination be rescinded as the Council recongise the work that has been undertaken to help resolve fundamental issues on the site (Mares Tails & Drainage) and the tenant be given until April 2018 to show activity on the allotment.

**Action: Clerk to communicate this decision to the tenant.**

1. *General Allotment information*

*Waiting List:*

It was noted by the meeting that despite the posting on social media only one new tenant has come forward and has been given an allotment. There remains no-one on the waiting list other than those waiting for a specific plot and currently 2 fallow plots.

*Expenses for Ivy Clearance:*

**Resolved** by all present that Mr M Grout submit an expenses claim with receipts for expenditure incurred as a result of ivy clearance from the wall at the top of the Nook Site.

**Action: Clerk to contact Mr M Grout and ask him to submit an expenses claim for the January 2018 meeting.**

**206/17 Parish Maintenance & Highways Matters**

1. *Near misses on footpath across Church Meadows*

It was noted by the meeting that a letter has recently been circulated to all parents of children at Broughton School that there had been two near misses on the footpath from the Church across Church Meadows.

**Resolved** by all present that this issue be raised once again with both CCC Highways and C/Cllr H Graham with a request for a raised crossing/pavement.

**Action: Clerk to report this matter to CCC Highways & C/Cllr H Graham.**

1. *Signing of Rights of Way*

It was noted by the Council that the responsibility for signing PROW rests with Cumbria County Council and there general aim is to have a signpost where a PROW leaves a highway then roundalls along the route (subject to landowner consent).

**Action: Councillors to report any missing signage to the Clerk for reporting to Cumbria County Council**

1. *Other matters*

**Action: Clerk to agenda the grass cutting contract and the detail to be included before advertising of it to the January agenda**

**Action: Clerk to speak to Allerdale Borough Council to request more regular road sweeping throughout the village (fallen leaves are blocking drains, when the gully clearance happens they leave the debris on the road to go back into the drains).**

**Action: Clerk to contact Persimmon Housing to ask them to improve their maintenance on the communal space on the whole of the estate, in particular the tree on the boundary between the estate and the school.**

**Action: Cllr A Carruthers to send a list of other specific issues regarding Persimmon estate maintenance to the Clerk for raising.**

**Action: Clerk to contact Cumbria County Council regarding the reinstatement of the PROW along the River in Great Broughton following Storm Desmond.**

**Action: Clerk to chase up the review of the 20mph speed limit with CCC and check on the progress of the additional requested TDU siting’s.**

**207/17 Correspondence received**

1. *Inclusive mobility budget suggestions*

**Resolved** that this be passed to Cllr M Bradley for completion.

1. *Parliamentary Budget Consultation.*

**Resolved** that this be noted and circulated to all for personal completion if required.

**Action: Clerk to forward details of this consultation to all councillors.**

**208/17 Planning Applications**

**Ref: HOU/2017/0241**

Location: 22 Kirklea, Little Broughton, Cockermouth

Proposal: Erection of porch to front

**Resolved** by all present that the Parish Council had no comments relating to this application.

**Action: Clerk to submit these comments.**

**209/17 Planning Decisions**

**Resolved** by all present that the below decisions and submission for appeal be noted:

|  |  |  |  |
| --- | --- | --- | --- |
| Ref | Location | Proposal | Decision |
| 7/2017/0403 | 91 Main Street, Great Broughton | New dwelling | Approved with conditions |
| 2/2016/0751 | Land North of Broughton Park | Erection of up to 64 dwellings  | Submitted to the secretary of state for an appeal |
| 2/2017/0411 | PT Field 0038, Harris Brow,  | Outline application for new dwelling | Submitted for appeal due to non determination within timescales |

**210/17 Finances, Accounts & Governance**

1. Payment of Accounts

**Resolved** by all present that the below accounts be paid with cheques signed by Cllrs J Wilson & Cllr A Carruthers

|  |  |  |
| --- | --- | --- |
| From | Reason | Amount |
| HMRC  | PAYE November | £368.76 |
| Becx Carter | Salary November (Via SO) | £310.06 |
| Becx Carter  | Expenses | £349.15 |
| Becx Carter | Additional payment for allotments work June-Dec 17 | £727.98 |
| Rock Challenge Donation | S.137 Donation approved at October meeting but insufficient signatories present | £150 |
| Playdale | New Play area gates | £1677.60 |
| Earl Haig Poppy Fund | Poppy Wreath | £25 |
| Cumbria Pest Services | Quarterly Pest Control Coldgill | £120 |

**Action: Clerk to pay these accounts.**

**Action: Clerk to organise a gesture of thanks to Steven Dixon who has repaired two taps on the Allotment Sites free of charge.**

1. Approval of Bank Reconciliation & Spend against Budget for Nov 2017.

**Resolved** by all present that these be noted as a true & accurate record. This was signed as such by Cllr J Sewell.

1. Request for funding Broughton Children’s Carnival

**Resolved** by all present that a S.137 donation of £150 be made to the Broughton Children’s Carnival

**Action: Clerk to process this donation.**

1. Request for funding 1st Great Broughton Scout Group (Newsletter delivery)

**Resolved** by all present that a S.137 donation of £400 be made to the 1st Great Broughton Scout Group to recognise their delivery of the Parish Newsletter over the last 2 years.

**Action: Clerk to process this donation.**

1. Request for funding Great Broughton Baby & Toddler Group

**Resolved** by all present that a S.137 donation of £150 be made to the Great Broughton Baby & Toddler Group.

**Action: Clerk to process this donation.**

1. Draft Budget 18/19

This was noted as having been circulated but that no decision could be taken until the results of the Local Government Technical Finance Settlement is known and the Council Tax Band D figure is received.

**Action: Clerk to agenda this matter for the January 2018 meeting.**

**Action: Clerk to reduce the figure budgets for Poppy Wreath to £25 only.**

**211/17 Councillor Matters**

Clerk to research and circulate information to all on how to report empty residential properties to Allerdale Borough Council.

**Action: Clerk to circulate this information to all.**

**212/17 Date & Time of Next meeting.**

**Resolved** by all present that the next meeting be held on Tuesday 23rd January 2018.

**Action: Clerk to note apologies for Cllr B Smith & Cllr M Bradley for the January 2018 meeting.**

Meeting Closed 20:54

Signed……………………………………………. (Chair) Dated………………………………………………..