

Broomhaugh & Riding Parish Council

Minutes of the Parish Council held on 9th November 2009 in the Church Cottage at 7.45pm.

Present: Councillors Mills, Reid, Dunhill, Eakins, Heslop, and Stephenson. Also present were Cllr Anne Dale, and 7 members of the public.

1. Apologies: Apologies were received from Cllr Tulip.

2. Minutes of last meeting: These were agreed as a true record.

3. Matters arising:

a) Pack Horse Bridge: Thanks were noted to Cllr Dunhill and Mr Padgett who had cut off the dangerous tree limbs.

b) Trees/main Road: The trees causing the most problem appeared to belong to the property Dove Shield on the north side of the Main Road to the East of the Wellington. Also the laurel bushes at the east end of the Wellington were overgrown. It was agreed the Clerk would write to the owners, asking them to cut back branches. Cllr Heslop also raised the matter of slippery leaves in the roadways and footpaths. Although the Council has an arrangement whereby these are meant to be swept regularly, Cllr Dale pointed out that there is currently only one sweeper for the whole of the County. She would point out the issue however.

c) Alder tree: Although there is doubt as to the ultimate responsibility for the tree near the tennis courts, it was felt the Parish Council should take on the matter and ask for the work to be done as soon as possible from the lowest quote obtained. The Tennis Club monitor trees etc. and it was suggested they continue to do this and liaise with the Council if there are perceived problems.

d) Spinney: Thank you notices had gone out as previously agreed together with a request for anyone interested in further work there to get in touch with Cllr Reid.

e) Cllr Heslop suggested that as there was a problem selling all raffle tickets, in order to continue supporting the Parish Hall, it should be noted for next year, that the Parish Council should offer to run a Book stall at the next Village day.

f) One of the lights on the station footpath was not working. Councillors would let the Clerk know its number before it could be reported. It was also partially covered by branches which needed cutting back.

4. The Weir:

Cllr Reid summarised the issues. Cracks were appearing in the side wall (adjacent to the seat side of the river) Preliminary advice was taken from both Mr Rosby and from Mr Peel in their engineering capacities. Provisional estimates in the range of £3000 to £7000 were given. However, the Environment Agency said that no work could take place between 1st October and 1st May because of the salmon running. This leaves the Council more time for a considered approach as to what actions are needed in the long term. In the meantime, there is a safety issue and it is suggested a simple fence be erected to supplement the tape and notice that is there currently. There appears to be a solid underground part which might make fence posts difficult. The Clerk will ask the regular fencer for a quote and ask him to liaise with Cllr Stephenson on the matter.

5. Covenants Policy: (Cllr Stephenson declared an interest).

This had been left in the public domain for more comments to be given as to the wording of the document. Comments had been received from Mr Young which were partially read out and some wording changes had been suggested by Mr McKendrick. It was important to highlight the differences between a request for an extension where a voluntary release is called for and between a plot division where a valuation is called for. Further clarification on the charging policy of the Valuation Office Agency (VOA) would again be sought to ensure the details were correct in the policy. (Mr Young – calls Council corrupt). The Legal advice received was not under discussion. The District Auditor considers that matter closed. Cllr Reid wished it be noted that the complaint resulting in the new Policy had cost the Parish Council £16,000 excluding VAT which would affect the budget for the precept in the coming year. Cllr

Eakins suggested a change of wording and Cllr Heslop also mentioned that in future, a number of houses could possibly be demolished to make way for flats etc. which would be plot splits. After some discussion it was agreed that the current wording was probably satisfactory. It was noted that the legislation when going to the Lands Tribunal is not balanced between the two parties. This needs to be considered. (Mr Young– called process extortion). Cllr Dale agreed to ask the Standards officer/Solicitor at County Hall about the legality of decisions taken by past members of the Council. Cllr Reid asked Councillors to accept the draft Policy, subject to change of use being considered and subject to clarification of the Valuation methods. Cllr Dunhill seconded the motion and it was carried with 4 in favour and one abstention.

6. Retention Policy:

Mr Young had complained about a file of correspondence at the Records office in Woodhorn. Cllr Stephenson had looked into the matter and summarised it with input from the Clerk for the other Councillors. Files had been deposited at the Records office in 2005, comprising over 35 files, about half of which had been inherited by the Clerk from the previous clerk. The particular file was labelled correspondence from Mr Young relating to the Millennium Hall. It was seen by Mr Young with two others this year. Records showed it had not been seen by any one else since it was lodged in 2005. As a result of the complaint the Archivist placed the file on restricted access and took legal advice at County Hall and informed the Clerk. This was not to Mr Young's satisfaction and he requested it be destroyed. Further discussion between the Archivist, the Clerk and the Chair of the Parish took place during the summer. The Clerk asked, on behalf of the Parish Council, on the 2nd October 2009, that the file be destroyed. Cllr Stephenson was thanked for her work in putting this together. She had several proposals: that documents should be deposited annually; that the decision about which documents should be deposited should be made by more than one person. After some discussion, it was agreed the Clerk would continue to manage the records but would bring a brief summary of the retention schedule used to the next Council meeting for Councillors to see. Legal requirements mean some documents are kept permanently, some for a limited period of time and some, unless it has relevance and goes into a specific file, is either archived or destroyed after 12-18 months. The huge number of files deposited in 2005 was a one-off exercise. There was also discussion as to whether to apologise to Mr Young for the alleged offence. As the records have been destroyed it is impossible to check this offence. Cllr Dale agreed to ask the Advisory solicitor at County Hall about the responsibility of the Parish Council for alleged offences. It was agreed that instructions to the Solicitors should be in writing in conjunction with a Councillor who would report back to the Parish Council.

7. Millfield Road update:

The Acting Chairman read out a statement on behalf of the Parish Council which had been put together by himself and the Chairman. Following this, he agreed to take comments from members of the public who were not at the recent meeting held by Mr Rickitt, the County solicitor.

"We wish to report the current position regarding Millfield Road. Over the past year the Council has been in discussion with Northumberland County Council seeking a way forward on an issue that has been on the village agenda for many years. On the 28th of October the frontagers of Millfield Road were invited, by the County Council Solicitor Mr Stephen Rickitt, to attend a meeting . Prior to this his legal appraisal had been sent to each of the invitees, this document will now be placed on the village web site. (MR)

To assist in this process your Council considered carefully the costing information provided by the NCC Highways Department. An estimated figure for works and supervision, of £88000 was established for both sections of road being brought up to adoptable standard. The bridge will be downgraded to a 3 tonne limit with the appropriate signage and will have a 6'6" width restriction. The Council will fund the £10000 bridge costs. The Council resolved to offer the frontagers a 50/50% share of the road cost to bring this matter to a successful conclusion. The frontagers are therefore being asked to fund £44000.

In this regard the Council are mindful that they are frontagers by their ownership of the amenity land. They also acknowledge that the Parish Hall is also a frontager and the Hall is

solely dependent on the village for its income. A further resolution was therefore approved that the Council would contribute their share of £2000 and also £2000 on behalf of the Parish Hall, thus leaving a sum of £40000 for the frontagers.

Your Council is mindful that this subject has in the past polarised village opinion. Not least in causing this is that a repair fund of approximately £14000 held for the upkeep of the road by the now defunct Millfield Road Property Owners Association, an association of some 40 years standing, was returned to the membership in 2004. Countering this however it is undeniably true that Millfield Road has been used as a through route for many years.

The offer is 'on the table' for consideration by the frontagers. We have requested an initial response by the end of November, after which we shall give a further report.

The Council wishes to make it clear that this is a once only offer to solve this problem. The Parish Council and Northumberland County Council will not revisit this issue again in the foreseeable future. If the offer is not accepted, Millfield Road will revert to being a private road.

Your Council believes this is a fair offer for all, and sincerely hope that the frontagers will avail themselves of this opportunity to bring closure to this long outstanding issue."

There was some discussion about the general issues. Cllr Heslop commented that he felt the division of costs was a potential problem. The Parish Council/NCC position is not fixed in stone and is flexible. If there is general support for the proposal, there are a number of options which could be considered. Mrs Rowntree made a similar comment and Cllr Heslop also suggested that the loan facility be used to pay for the whole project to get it done and out of future agendas. Mr Bryson suggested there might have to be a referendum in that case. Overall it was agreed to wait until the end of November, by which time the Council had asked for a preliminary response from frontagers. Cllr Reid agreed to put the statement into the Parish News, onto the notice boards and possibly elsewhere such as the website or in Bobby's shop. MR

(During this discussion, Cllr Eakins left the room for a few moments during which time Mr Young placed a chair under the door handle, preventing his return or anyone else's exodus thus creating a potential health and safety issue for Cllr Eakins returning or the rest in the event of a fire. He was asked to remove said chair and did so reluctantly). Because of the time taken to get to this point in the Agenda, it was agreed to defer the item on the Parish Plan until the next meeting.

Also included here are two further resolutions taken in the confidential discussions of the September PC meeting relating to the above matter:

If the frontagers agree to proceed with the adoption and meet their share of the work, the Parish Council will implement the following work;

- adoption of the road and turning heads
- bridge works for restriction to 3 tonnes
- Parish Hall car park.

If the frontagers decide not to proceed, the Parish Council will implement the following work:

- installing the turning head beside the Parish Hall (subject to planning permission)
- bridge works as above
- Parish Hall car park.

Any decision on the future standard of the road would be devolved to the residents.

8. Correspondence:

a) General

b) Network Rail: it was noted that Network Rail had replied to a letter about the station footpath light but would not consider it as it is a PROW.

c) East Tynedale Community Forum: The Forum is conducting a survey on grass cutting with

a view to looking at other schemes for delivering the service in the associated parishes. It was agreed to do this in the first instance.

9. Finance:

- a) The financial statement and receipts were accepted by all Councillors.
- b) The following payments were authorised by all councillors:-

MF Anderton Salary/October	£407.74
MF Anderton Expenses/October	£36.06
Jack Robinson - comps.slips	£34.50
Royal British Legion	£40.00
Cricket Club - grass cutting	£360.00

- c) Budget: it was agreed that Cllr Eakins would work with the Clerk to draw up a preliminary budget to circulate to Councillors. Any thoughts to be sent by email to Cllr Eakins. JE/Clerk

10. Minor matters: None

The meeting closed at 10.25pm