

THORNBOROUGH PARISH COUNCIL

MINUTES of MEETING

Monday 10th December 2012 at 7.00p.m.

Present: Cllr. Mark Cole (Chair), Cllr. Andy Spurr, Cllr. Melanie Staff, Cllr Mary Taylor, Cllr. Charlotte Moore, Cllr Rupert Bursell, Cllr. Ray Goodger, Maggie Beach (Clerk)

Public: 2 members of the public present.

1	Apologies: None,	
2	Declaration of interest in items on the agenda – None	
3	Public Participation session: - All public participation was under particular items, Item 6 The Greens and Bye-Laws and Item 8, Thornborough Community Woodland	
4	Minutes of the meeting of 12th November 2012- Agreed with two amendments- to add Cllr Ray Goodger to those attending and to change Cllr. CM to Cllr MC under item 15, Buckinghamshire's first Flood Risk Management Strategy.	
5	<p>Review of Action Points Item 6, The Green and Bye-laws -on agenda Item 7 Allotment management Clerk has:</p> <ul style="list-style-type: none"> • Written to allotment holders asking them to remove their stuff in the hedge within 28 days to facilitate hedge trimming. They have started to clear the hedge. • Talked to Mr Lewis who has said that the position of the new gate means the hedge cutter will not be able to access the road-side hedge from inside the allotments as there is now no access. Clerk has contacted Mr Madkins who will look to see what can be done from the road. • Asked Mr Madkins to go ahead in January 2013. • Written to allotment holders explaining that if there is a problem caused by their actions (such as lighting a bonfire) they will be responsible. • Replied to Mary Gavigan to update her. <p>Clerk has checked with Insurers and any damage caused by allotments holders is their financial responsibility. She will further update Mrs Gavigan as necessary. Cllr AS reported that Dennis King has supplied and fitted the new gate as required.</p> <p>Item 8 Thornborough Community Woodland Item 9 Road Issues - Speed Limit Review, Salt bins. Item 10 Street Lighting Item 11 Broadband in Thornborough Item 13 Reed Mace and stream Item 14 Winter shop for the village <p style="text-align: center;">–all on agenda</p> Item 18 Standards and Code of Conduct for Parish Councils. Clerk has added a note to our Standing orders re. dispensation Item 20 Planning – responses sent Item 21 Finances: e. Precept for 2013 on agenda f. Christmas tree cost Clerk has informed Rod James of TPC's decision Item 19 A.O.B. , other correspondence and Other Councillor Issues Boxing Day walk – Clerk has printed posters.</p>	
6	Greens Bye-Laws – Cllr RB and working group i) Parking on the Green	

	<ul style="list-style-type: none"> • Cllr RB read out the report and suggested bye-law relevant to parking on the Green. (Attached as Appendix 1) • TPC decided to add a bye-law about camping on the Green and bonfires on the Green. Cllr RB drafted Bye-laws on these issues. Proposed Cllr CM, seconded Cllr MT that these Bye-laws be forwarded to Chandler Ray for the next step in formally putting them in place, agreed unanimously. • Bye-laws agreed as: <ol style="list-style-type: none"> 1. <i>No parking is permitted on Thornborough village green save (i) in any area and at any time specially designated by Thornborough Parish Council, or (ii) as authorised by the Council in any other circumstances within the sole discretion of the Council.</i> 2. <i>No camping of any description is permitted on any part of Thornborough Village Green in any circumstances whatsoever save with the written permission of the Thornborough Parish Council to be granted at its sole</i> 3. <i>No bonfire or any fire of any description may be lit on Thornborough Village Green save with the written permission of the Thornborough Parish Council to be granted at its sole discretion.</i> 	<p>Clerk to action with Chandler Ray</p>
<p>7</p>	<p>Thornborough Community Woodland</p> <p>i) Re-drafted Heads of Terms agreement</p> <ul style="list-style-type: none"> • Cllr RB's suggested amendment ('impinge' becomes 'impede') accepted by BCC. Cllr RB has noticed another bit of the Heads of Terms agreement that isn't very clear and possibly needs amending. On the last page there is a reference to disability access. There is kissing gate access from some of the footpaths crossing the land. As the draft stands it would be for us to replace them so as to make them disability friendly. This would be expensive and probably not what is meant. BCC have suggested 'The transferee will (where reasonable) take opportunities to remove barriers to ensure that access into and through the woodland complies with the Disability Discrimination Act 1995.' Cllr RB is happy with this wording. • Proposed Cllr AS, seconded Cllr MS that with these amendments included TPC goes ahead with the Heads of Terms agreement with BCC. Agreed unanimously. • Agreed that we discuss funding at the next meeting and invite Adstock and Padbury Parish Councils and Buckingham Town Council representatives to the meeting with the intention to see if these councils can help with funding as people from their areas use the woodlands. • Clerk has forwarded Cllr AS's wish list of equipment to Julia Carey, BCC and received a response confirming that we will get some of these pieces. Clerk has also had confirmed that BCC will pay for the management plan. • Cllr CM suggested a Friends of Thornborough Community Woodland might raise money. <p>ii) Ash die-back Clerk has ascertained from BCC that there is no funding nationally or locally currently available.</p> <p>iii) Insurance We have recently been informed by our insurers that it is in our interest to monitor the state of various things we are responsible for and especially our trees after the death of a person due to a fallen branch where the parish council were considered to be liable.</p>	<p>Clerk to inform Mike Walker, BCC and Kate Hutchins, Hampshire CC of this decision.</p> <p>Clerk to put on January agenda.</p> <p>Clerk to invite reps. from Padbury and Adstock PCs and Buckingham Town Council to meeting</p> <p>Clerk to put on next agenda</p>
<p>8</p>	<p>Road issues:</p> <p>i. Speed Limit Review There has been no response from Mr Baverstock at BCC to the letter recently sent about the Repeater sign on the Green.</p>	

	<p>ii. Leckhampstead Road, Flood Depth Indicator. Cllr MC explained the problem and that the solution is depth indicators. Clerk has spoken with our Local Area Technician who agrees. He will contact Cllr MC to discuss the best place for them to go. Cllr MC noted that this stretch of road is actually in the parish of Fosscote but is an access road for Thornborough. Clerk to liaise with Fosscote over this issue.</p> <p>iii. A421/Lone Tree junction Concern was expressed by a number of Councillors about this junction. There have been several accidents (4 at the latest count) in the last few weeks and it is becoming increasingly difficult to get out of the Thornborough road onto the A421 in busy times with cars waiting 3 or 4 minutes. The Clerk has discussed this with our LAT. BCC have had no accidents reported to them at this junction by the police in the last few weeks. Usually accidents are 'shunts' with cars shunting cars in front waiting to turn off the A421. Our LAT technician is looking at ways to improve the turn-off onto both minor roads but says there is no funding or plans for a roundabout at this junction. TPC agreed a letter should be sent to Mr John Bercow, copied to BCC about our concerns and that Cllr MC will raise this issue at the LAF when he attends.</p> <p>iv. Salt bins - update Clerk has spoken with the responsible person at BCC to ask about moving the salt bin outside the Lone Tree to the road down to the village once the access to the Lone Tree is changed from the A421 to the road as detailed in the latest planning application. BCC have said it is too heavy to move at present, however they are happy for us to move it but it must be to a flat area on the roadside where the lorry that fills the salt bins can operate. We must let them know where we have moved it to. Cllr AS said he could arrange for it to be moved.</p> <p>iv. Other items for Roads Clerk has been told by the LAT that the problem with flooding at Nash End is because the ditch beside the allotment field needs clearing.</p>	<p>Clerk to contact Foscott PC</p> <p>Clerk to Write to John Bercow, copy to BCC as detailed</p> <p>Cllr AS to arrange to move salt bin. Clerk to let BCC know when and where bin is moved to.</p> <p>Clerk to find out who is responsible for the ditch.</p>
9	<p>Street Lighting - update</p> <ul style="list-style-type: none"> • Clerk has now phoned David Mooney at E-on about the letter she recently sent recorded delivery to him with a copy of the original letter sent to Mr Millard and the continued lack of response to the request for upgrades to existing lights and for new lights. As a result she has now received a quote for the three new lights and an acknowledgement of the work to be carried out on the upgrading of 9 other lights. She will continue to monitor the situation. • The light in Church Lane has been out since the summer, Clerk has therefore asked for a detailed work sheet of work carried out before she pays the last quarter's Street Light Maintenance bill. • Cllr AS reported that the light on Bridge Street has been placed on a new pole and has not worked since this. 	<p>Clerk to check new lights price against previous verbal estimates.</p> <p>Clerk to report Bridge Street light.</p>
10	<p>Broadband in Thornborough The Clerk has received replies from John Bercow (MP) and from Chris Rawson (for BCC) but not from BT. John Bercow has said that he will be taking the matter up with the Secretary of State at the Dept. for Business, innovation and Skills, Rt. Hon. Vince Cable MP and will let us know any outcome. Chris Rawson has explained that there is some funding available in BCC and that those areas that are considered not commercially viable by BT for upgrading could be upgraded by BCC funding if they can show the greatest need. To do this it requires people to sign up on www.superfastforbucks.org or phone 0845 3708090 or 01296 395000. TPC agreed to publicise this and to encourage parishioners to register their interest for faster broadband.</p>	<p>Web site and phone number to be publicised in TNews</p>
11	<p>Report from BRAG Conference</p>	

	Clerk attended this free annual conference to discuss a new Rural Strategy for Buckinghamshire and Milton Keynes. She has circulated the web link to the presentations. The main issue that repeatedly came up throughout the conference was the lack of and need for faster Broadband.	
12	Thornborough Parish Website – advertising –deferred to next meeting	Jan agenda,
13	Reedmace and stream Cllr AS has had a quote of £275 from Graham Smith for removal of the reedmace. Proposed Cllr RB, seconded Cllr AS that we accept this quote and ask him to go ahead with the work, Agreed unanimously.	Cllr AS to tell Mr. Smith to go ahead
14	Winter shop for the village.- Cllr RG If the weather gets bad Cllr RG will take orders and pass them on to Cllr CM. Villagers will be able to collect from Cllr RG. Noted that Barr’s Nurseries has changed hands and now has a Farm Shop and are selling vegetables.	
15	Bucks Minerals and Waste Local Development Framework Adopted Core Strategy - noted	
16	Government response to consultation on council tax base for local precepting bodies Cllr MC explained the current situation. AVDC estimates that about 10% of Council Tax is met from Benefits so if this goes under the new legislation the consequence will be that if our Band D remains unchanged we could expect to receive 10% less precept. However in mitigation the government has awarded a 90% grant which mean that in effect if our Band D remains unchanged the precept will only go down by 1%. The government has strongly recommended that councils do not set their precept requirement for 2013/14 prior to the announcement of the Local Government Finance Settlement and of Council Tax Referendum Limits on the 19 th December. . TPC decided that they would set the precept at the next meeting in January.	Clerk to put precept on the January agenda
17	Planning: a) <u>Ref: 12/02311/APP</u> Priory Farm, Bletchley Rd., Thornborough, MK18 2DZ Loft conversion into living accommodation, insertion of dormers. NO OBJECTIONS b) <u>Ref. 12/02494/APP</u> Lone Tree Ph., Bletchley Rd., Thornborough, MK18 2DZ Change of use of building to dwelling house – erection of one dwelling – closure of existing access and creation of new access. Amendment to 11/01450/APP TPC SUPPORTS THIS APPLICATION. We note that Mr Pearson won his appeal against the planning decision on 4 th October although we have not been notified of this by AVDC. Clerk to follow up with AVDC. c) <u>Ref. 12/02261/APP</u> Coombs Farm, Padbury Road, Thornborough MK18 2EB Conversion of agricultural Building to 4 residential units TPC SUPPORTS THIS APPLICATION as it is a better use of the land and supports the on-going need for housing in the parish. d) AVDC will soon be taking the Vale of Aylesbury Plan, Strategy DPD, to Councillors for approval.- noted. e) Bulletins and other updates – i). Bulletins noted. ii) <u>Ref: 12/02375/ATC</u> Fell Cuppressus and Lawsoniance at The Rectory, Chapel Lane. permitted iii) <u>Ref 12/1358/APP</u> Home Close, Nash Rd., Thornborough, Removal of existing double garage and erection of single storey side and rear extension. permitted f) The next meeting of the North Bucks Parishes Planning Consortium is on 10 th January 2013. The next meeting of the LAF is on 13 th December. Cllr MC will attend both meetings and bring up the issue of the A421 junction at the LAF. g) Planning application fees went up by 15% on 22 nd November 2012.	Clerk to send responses to AVDC Clerk to follow up with AVDC

18	<p>Finances:</p> <p>a. Bank Reconciliation for December: No statement for the month of November received yet from NatWest so unable to do a reconciliation.</p> <p>b. Payments and Receipts – noted, Cheques</p> <table border="0"> <tr> <td>E-on (unmetered supplies)</td> <td>£22.91</td> <td>Cheque No. 429</td> </tr> <tr> <td>Spinks Carpentry Ltd.</td> <td>£984.00</td> <td>Cheque No 430</td> </tr> <tr> <td>Charlotte Moore</td> <td></td> <td></td> </tr> <tr> <td>for Remembrance Wreath (s137)</td> <td>£12.00</td> <td>Cheque No 431</td> </tr> <tr> <td>Dog Hygiene Bins</td> <td>£310.44</td> <td>Cheque No. 432</td> </tr> <tr> <td>Clerk’s Salary cheques - December</td> <td>£350.07</td> <td>Cheque No 433</td> </tr> <tr> <td>HMRC - Clerk’s Income Tax</td> <td>£87.80</td> <td>Cheque No 434</td> </tr> <tr> <td>(PAYE Ref. 475/SA75351</td> <td></td> <td></td> </tr> <tr> <td>Accounts office Ref. 475PE00369213)</td> <td></td> <td></td> </tr> <tr> <td style="text-align: right;">Total</td> <td>£1,767.99</td> <td></td> </tr> </table> <p>Direct Debits</p> <table border="0"> <tr> <td>E-on (Sports Pavilion supplies)</td> <td>£105.00</td> </tr> <tr> <td>Anglian Water</td> <td>still in credit</td> </tr> <tr> <td style="text-align: right;">Total</td> <td>£1,872.99</td> </tr> </table> <p>Additional items presented at council meeting for immediate payment:</p> <table border="0"> <tr> <td>Denne Engineering</td> <td></td> <td></td> </tr> <tr> <td>(cost of wood etc for allotment gate)</td> <td>£328.29</td> <td>Cheque No.435</td> </tr> <tr> <td>Dennis King (putting gate into place)</td> <td>£145.00</td> <td>Cheque No.456</td> </tr> <tr> <td style="text-align: right;">Total</td> <td>£2,345.28</td> <td></td> </tr> </table> <p>c. Receipts - None</p> <p>d. Precept for 2013 Clerk has prepared and sent round: figures of previous year’s payments and receipts, payments and receipts up till now this year, and what was budgeted for this year, to help inform the decision about the precept – to be on the January agenda. Various projects and funding for projects for next year were discussed, including: grass-creting, Thornborough Community Woodland, the Church yard and the Church clock. Cllr RG to find out if the clock is the responsibility of TPC. We have £16,000 in reserve for street and pavement lighting.</p>	E-on (unmetered supplies)	£22.91	Cheque No. 429	Spinks Carpentry Ltd.	£984.00	Cheque No 430	Charlotte Moore			for Remembrance Wreath (s137)	£12.00	Cheque No 431	Dog Hygiene Bins	£310.44	Cheque No. 432	Clerk’s Salary cheques - December	£350.07	Cheque No 433	HMRC - Clerk’s Income Tax	£87.80	Cheque No 434	(PAYE Ref. 475/SA75351			Accounts office Ref. 475PE00369213)			Total	£1,767.99		E-on (Sports Pavilion supplies)	£105.00	Anglian Water	still in credit	Total	£1,872.99	Denne Engineering			(cost of wood etc for allotment gate)	£328.29	Cheque No.435	Dennis King (putting gate into place)	£145.00	Cheque No.456	Total	£2,345.28		<p>Clerk to raise all cheques</p> <p>Cllrs. to read figures ready for next month’s meeting.</p> <p>Cllr RG to find out about church clock.</p>
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19	<p>A.O.B. , other correspondence and Other Councillor Issues</p> <ol style="list-style-type: none"> 1) Invitation from Cllr Derrick Isham - annual civic service at St. Peter’s and St. Paul’s Church, Buckingham, Friday 14th December at 3.30. No-one is available to attend. 2) Letter from Mary and David Wise concerning the reedmace in the stream and the failed light in Church Lane and how dangerous this could be in bad weather. These items have been covered under the relevant items earlier in the meeting. (Items 13 and 9) 3) Boxing Day Walk Cllr MT has created posters to advertise this and will post around the village. Clerk has put one on TPC notice board. 4) Clerk has received the most recent electoral roll. 5) The Clerk has received details about NHS 111, the new NHS phone line 6) It was noted that Cllr RB had been co-opted to help produce Bye-laws and this has been done. TPC thanked Cllr RB for his hard work on this issue and requested that he stay on the council. He agreed that he would. 																																																	
23	<p>Date of next meeting; 14th January 2013 at 7.00p.m. The meeting closed at 8.55 p.m.</p>																																																	

APPENDIX 1

Thornborough Green Byelaws

1. Parking on the Greens

1. Section 34 of the Road Traffic Act 1988 (as amended) makes it a criminal offence to park without lawful authority on “any common land ... or land of any other description, not being land forming part of a road” or on “any road being a footpath, bridleway or restricted byway”.
2. It follows that those who are parking on Thornborough green are presently committing a criminal offence as they do not have ‘lawful authority’ to do so¹.
3. The Council has received a number of representations from those who park vehicles on the green requesting that the present status quo should continue but the Council represents all parishioners (and not just those with land bordering the green) and in any event cannot connive at the commission of criminal offences on land for which it is responsible nor can it grant special access across the green.
4. We believe that it is clearly the Council’s duty to take into consideration the effect of the present amount of parking on the roads within Thornborough and, in particular, on the roads surrounding the green. It must, therefore, bear in mind the safety aspects of such parking, especially in relation to (a) children being delivered to, and collected from, the village school and (b) emergency vehicles. (In this regard it should be made clear that no byelaws would be interpreted so as to prevent the parking of emergency vehicles on the green at times of emergency. Such parking would be regarded as a legal necessity.) The Council should also bear in mind the increasing number of cars owned by householders, although this should not impinge on the rights of other parishioners to enjoy the green as an amenity.
5. We also believe that the Council should be responsive to any special requirement that may apply to those with land adjoining the green, such as special parking requirements for those with disabilities. However, in our view this does not mean that

¹ Any purported permission from an individual councillor, especially prior to the adoption of the green by the Parish Council, would be ineffective.

parking should be permitted on the green, for example, for ordinary deliveries of goods, etc. to adjoining land. On the other hand, special provision could be made for deliveries of such items as building materials, or for removal lorries, etc., on a one-off basis. For this reason some flexibility needs to be built into any byelaw adopted by the Council.

6. **[Note that Councillor Spurr should declare an interest in relation to this aspect.]**

We believe that the Two Brewers Public House is an asset to the whole community although also enjoyed by visitors from outside. For this reason we believe special provision should be made to permit parking in a designated area outside the Two Brewers although consideration should be given to the times during which such parking should be permitted².

7. Bearing all this in mind we suggest that the Council should apply to introduce a byelaw which would permit parking³ on the green within specified areas, for specified numbers of vehicles and at times specified by the Council. Such a byelaw should also give the Council power to authorise parking at other times and places on the green and also for one off purposes. Any permission so given could then be tailor made to the specific circumstances and requirements of those applying for such permission⁴. It follows that any permission so given would be personal to those living in the relevant property.

8. We suggest that any such byelaw should be simply drafted but with scope for the Council to be flexible in its granting of permission to park. In this regard we suggest that all that is required is a byelaw stating:

No parking is permitted on Thornborough village green save (i) in any area and at any time specially designated by Thornborough Parish Council, or (ii) as authorised by the Council in any other circumstances within the sole discretion of the Council.

Such flexibility as is outlined above can then be allowed for as circumstances require from time to time, from person to person and from place to place.

² Should there be a blanket permission for parking in the designated area throughout the day (in which case it may be used by people generally and not necessarily by those visiting the pub) or should there be permission only within specified times?

³ We do not consider that 'parking' requires any special definition.

⁴ For example, for blue badge holders in appropriate circumstances.

2. Camping on the Greens

No camping of any description is permitted on any part of Thornborough Village Green in any circumstances whatsoever save with the written permission of the Thornborough Parish Council to be granted at its sole discretion.

3. Bonfires on the Greens

No bonfire or any fire of any description may be lit on Thornborough Village Green save with the written permission of the Thornborough Parish Council to be granted at its sole discretion.