

BRAMPTON ASH PARISH COUNCIL

APPROVED MINUTES of the PARISH COUNCIL MEETING

Thursday 16 May 2013, 7.30pm at: 20 Hermitage Road, Brampton Ash

Present:

Parish Council Members:

Stephen Power (SP)
(Chair)

Nick Bevan (NB)

Teresa Hilliard (TH)

Heather
Shuttleworth (HS)

Liz Evans (LE) (Clerk)

Members of the Public:

J. Kirby (representing Sheridan Guinness (SG) and Reg Stewart(RS))

Action by:

1. **Declarations of Interest**
To receive disclosures of personal and prejudicial interests from Councillors on matters to be considered at the meeting.
There were no disclosures of personal interest.

2. **Apologies for Absence**
Apologies were received from Reg Stewart.

Item 10 It was agreed that the order of the agenda would be changed and item 10 would be dealt with at this point.

Village Footpaths

.1 Closure of the footpath between Brampton Ash village & the parish church of St Mary the Virgin

J. Kirby was welcomed to the meeting; she explained that she was present to represent Sheridan Guinness (SG) and Reg Stewart (RS) who could not be present themselves for family reasons.

SG had sent several emails and letters to the parish council with regard to access across his land between the village to the parish church, and he requested that this should be an agenda item for the meeting. SP explained that, whilst a footpath linking the village and the church via SG's land was shown on maps dating back to 1901, and possibly beyond, SG insisted that those villagers who currently used it were trespassing and he had issued a letter revoking the use of the path. Whilst councillors regarded this as a closure of the path, SG had insisted that, despite revoking its use, the matter was not one of closure; it was a matter of trespass. It was not clear how trespass was being defined by SG but, in any case, the parish council has absolutely no jurisdiction in the case of trespass.

SP pointed out that the footpath appeared on current plans of the village and it was also shown on the copy of the Ordnance Survey map, dated 1901, which SG had forwarded to SP. It was acknowledged that, whilst this path was not shown as a Right of Way, the path was, nonetheless, clearly shown to exist. HS could recall the path being used to access the church for at least forty years and it was known that villagers still regularly used it to visit the church and graveyard.

Without use of the path the only pedestrian route to the church was via the A427; this was considered to be dangerous as it meant contending with fast-moving traffic and overgrown grass verges.

Signed:

Chair

Date

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JK said that the actual use of the footpath for access to the church was not the main problem; the issue was one of abuse, in that sometimes people strayed from the pathway onto the field and some dog-walkers left dog faeces on the path. She felt that SG might be amenable to the path's use if people asked permission to do so but TH felt that this was inappropriate as the path had hitherto been in regular use for a considerable period of time without the need for permission to use it.

In light of the email received from SG headed 'Use of Footpath Revoked' it was deemed that the footpath was now effectively closed to the villagers of Brampton Ash and this was duly minuted, although SP pointed out that walkers from outside of the area were still likely to use the path as it was shown on the Ordnance Survey map.

.2 Proposed changes to the footpath between the Brampton Ash village & Dingley / Sutton Bassett

SP explained that a Right of Way existed across land owned by RS. He had, in the recent past, requested that the parish council support the changes that he wished to make to the path in order to protect his family's privacy; at the time the parish council had been happy to do so and had given him an open letter of support. However, in light of recent events outlined in item 10.1 (above) the parish council felt that it could no longer support the proposal. This was because of concerns that changes to the path might invalidate its status as a Right of Way. It was acknowledged that RS had given an undertaking that the path in question could continue to be used by Brampton Ash residents and councillors had the utmost confidence that RS would honour his word. However, if RS was to give up ownership of the property there could be no onus on a subsequent owner to allow continuance of a pathway that did not constitute a Right of Way. This could mean that there was a danger that, in view of item 10.1 (above), the village may easily stand to lose two of its traditional footpaths.

It was suggested that RS might consider creating an entirely new footpath, whilst retaining the existing path as a Right of Way.

The Clerk was asked to write to RS to inform him that the parish council unanimously agreed that, unfortunately, it was no longer able to support any possible re-routing of the footpath beside no. 22 Hermitage Road for the reasons outlined above, and copies were to be sent to Northants County Council advising them that the previous agreement was rescinded.

LE

.3 Footpath Proposal

Following on from Items 10.1 and 10.2, the Clerk explained that shortly before the meeting she had received an emailed request for an item to be included under Any other Business but she considered it pertinent to consider it alongside items 10.1 and 10.2 (above). As the email had been received very late in the day there had not been time to circulate it with any certainty that councillors would receive it prior to the meeting; she therefore distributed printed copies to councillors and to JK. The text of the email is reproduced below:

*Dear members of parish council
Following communications between the landowner and the parish council, we have recently been advised that parishioners using the footpath between the village and St Mary's church are considered to be trespassing over private land. Whilst we accept the right of the landowner to restrict*

access to his land, it is a disappointing decision as this prevents direct passage to the parish church and village events that are held there. We are aware that other residents are also disappointed that access is withdrawn and have discussed the possibility of submitting a definitive map order request to protect this historical path for current and future residents. Would the parish council please consider whether it would be willing to support a definitive map order application should this be submitted, by way of a supportive motion or minuting its support? We apologise for the short notice of this request as we have only recently be made aware of the restrictions on the path use. We also apologise for our absence but are away during this week

Yours

*Drs Iain and Karen Stephenson
2 Shires, Brampton Ash*

Parish councillors unanimously agreed that they would support such action, were it to be taken, and Drs Iain and Karen Stephenson would be informed accordingly.

LE

It was suggested that, if SG wished to take the matter further with local residents, a village meeting would be a more appropriate forum for debate than a parish council meeting, given that the parish council has no jurisdiction regarding the path on his land.

3. Minutes

To resolve that the minutes of the ordinary meeting of the parish council held on 21 March 2013 be signed as a correct record.

The minutes of the meeting held 21 March 2013 were signed as a correct record.

4. Matters Arising from the Above Minutes

.1 Donation to Church Lighting

The cheque had been forwarded to the church warden; it not been issued out of numerical sequence, as previously reported.

.2 Photographs

Photographs for the website were still required from HS and RS

HS
RS

.3 Waste-to-Energy Plant, Desborough

The notice referred to had been posted on the village notice board.

.4 Jubilee Oak

The Jubilee Oak tree had now been planted. Thanks were recorded to Julian White, Teresa Hilliard and Nick Bevan for their assistance with the fencing work and the provision of fencing materials and to David and Wendy Brooks for allowing the tree to be planted on their land. Photographs of the event would be posted on the website www.bramptonashparishcouncil.webs.com

5. Minutes

To resolve that the minutes of the special meeting of the parish council held on 16 April 2013 be signed as a correct record

The minutes of the meeting held 16 April 2013 were signed as a correct record.

6. Matters Arising from the Above Minutes

There were no matters arising.

7. Financial Matters

.1 Current financial position

The Clerk presented a statement of account showing that bank balances at the end of the financial year 2012/13 totalled £1931.31. The final Parish Grant of £940.00 had since been received from Kettering Borough Council (KBC) and a donation of £250.00 towards the cost of lighting had been made to the parish church, making a current balance of £2621.31. Since no further parish grants would be forthcoming from KBC, councillors agreed that current reserves would be used to fund parish council matters for the time being but this situation would be subject to regular review. A precept would, however, become necessary within the future.

.2 To prepare and present the parish council's accounts for audit

The end-of-year accounts were completed and approved by the parish council and the annual governance statement was also approved. SP would arrange an internal audit and then forward the accounts for external audit as legally required.

SP

.3 HMRC

The parish council's end-of-year PAYE returns had been completed and submitted to HMRC.

8. Planning Matters

KET/2013/0183 12 Hermitage Road (side and rear extensions to dwelling)

A Notice of Approval for the above works had been received from KBC.

KET/2013/0218 Manor Farm (vehicular access)

Plans for the above application had been received; they were viewed and discussed. Councillors agreed that they had no comment to record to KBC.

9. Highways Matters

NB reported that, although some of the potholes in Hermitage Road had been repaired, others still needed attention. NB would report this via the Northants County Council (NCC) 'StreetDoctor' service.

NB

10. It was agreed that item 10 would be dealt with following on from item 2 (above).

11. Any Other Business

.1 Jubilee Oak: Donation

A local resident who wished to remain anonymous had kindly offered to meet the cost of purchasing the Jubilee Oak, which was £44.75. The offer was gratefully accepted and the parish council recorded their thanks on behalf of the community.

.2 Community Speedwatch

Details of the above scheme had been received and the possibility of Brampton Ash's participation was discussed. There were two problems in pursuing this: firstly, councillors had been advised by the organisers that there was no suitable area of Hermitage Road where the length was sufficient to use the equipment

that measures the speed of motorists and, secondly, the scheme required approximately ten volunteers over a period of several days and it was unlikely that a sufficient number could be available. In light of this, it was decided that it was not feasible for Brampton Ash to participate. However, NB volunteered to approach Ian Boyes, NCC, for a supply of speeding advisory notices which could be put up on the lamp posts, as they had been in the past.

NB

- 12. Date and Venue of Next Meeting:**
Thursday 5 September 2013, 7.30pm at 3 Hermitage Road, Brampton Ash

The meeting closed at 9.15pm

Liz Evans, Clerk to Brampton Ash Parish Council
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