

BODENHAM PARISH COUNCIL**Minutes of a Meeting of BODENHAM PARISH COUNCIL held
on Monday, 5th August 2013 at the Seward James Centre at 7.30 p.m.**

Present: Cllr Roger Austin, Cllr Alec Avery, Cllr Stan Davis, Cllr Dennis Jackson, Cllr Pam James-Moore, Cllr Robin Knott (Chair), Cllr Tony Mitcheson, Cllr Rhian Powell,

Eleven members of the public were present at the start of the Meeting.

1. **Apologies for Absence.** Apologies for absence were received from Cllrs Clarke and Millar.
2. **Declarations of Interest.** Cllr James-Moore declared an interest in Item 6; Cllr Knott declared an interest in Item 7; Cllrs Mitcheson and Powell declared an interest in Item 16.
3. **Minutes of the Previous Meeting.** Cllr Powell observed that Minute 4.1 stated that responsibility for dealing with landowners on footpath issues lay with the Parish Council and that this was incorrect; that responsibility actually lay with the PRoW officers at Herefordshire Council. The Minute was corrected accordingly. The Minutes were then approved and signed.
4. **Matters Arising from the Minutes.**
 - 4.1 **Minute 4.1: Footpaths Officers.** The Clerk reported that Mr and Mrs Russell had agreed to serve as footpaths officers.
 - 4.2 **Minute 4.3: Bin on the Village Green.** Mr Tony Clark reported that the bin had been emptied on 26th July, but not on 1st August. The Clerk was instructed to contact Herefordshire Council on the matter. **ACTION: CS**
 - 4.3 **Minute 4.4: The North Herefordshire Hunt.** The Clerk reported that a letter had been received from the Chairman of the Hunt and had been circulated to Councillors..
 - 4.4 **Minute 4.8: Park and Share and Park and Cycle Scheme.** The Clerk reported that he had put the owner of England's Gate in touch with the relevant people at Herefordshire Council.
 - 4.5 **Minute 4.11: Blocked Drains on the A417.** The Clerk said that the blocked drains on the A417 had been cleared.
 - 4.6 **Minute 4.12: Piece of Car Bumper in Millcroft Brook.** Mr Tony Clark reported that the piece of a car bumper had still not been removed from the watercourse at the junction of the Millcroft and Moor Brooks. The Clerk was instructed to make a list of unresolved issues to present to Balfour Beatty, when they take over from Amey. **ACTION: CS**
 - 4.7 **Minute 5.2: Obscured Sign on the A417.** The Clerk said that he had reported the matter to Amey.
 - 4.8 **Minute 5.3: Strimmings Left on the A417.** The Clerk said that he had reported the matter to Amey.
 - 4.9 **Minute 8.1: Telephone Kiosk:** The Clerk said that he had sent the missing *Newsletter* item about the telephone kiosk to Cllr Mitcheson for the website and would include the item in the September Newsletter. **ACTION:CS**
 - 4.10 **Minute 10.1: Car Park Registration.** The Clerk reported that a letter signed by Cllr Clarke authorizing Mrs Newbould to proceed with the registration had been sent to her.
 - 4.11 **Minute 13.2: Planning Application for Bowley Court Farm.** Cllr Powell reported that she, Cllr Clarke and Cllr Avery had visited the site and had been concerned about the access to and from it from the A417. Cllr Powell also noted that the planning application had been very difficult to interpret.

5. **Issues Raised by Members of the Public.**

5.1 Mr Tony Clark reported that the 30mph sign outside Steppes Mill had not been replaced. The Clerk was instructed to contact Amey again about the matter.

ACTION: CS

5.2 Mrs Gwen Bowden reported that the owner of England's Gate Inn had put gravel on the strip of ground on the corner of the Inn and Millcroft Road, but the recent heavy rain had washed the gravel away. The Clerk was instructed to contact the owner of the Inn again.

ACTION: CS

5.3 Mrs Gwen Bowden reported that she had spoken to the North Herefordshire Hunt huntsman, who had agreed not to walk the hounds on a Sunday morning.

6. **Footpath BM13.**

6.1 Cllr James-Moore reported that the Trustees of the Siward James Centre had spoken to Herefordshire Council's Public Rights of Way department, who had suggested that the Trust should concede a strip of land in order to solve the issue with the footpath. Cllr James-Moore said that the Trustees would meet again with Herefordshire Council to agree both a route for diverting the footpath and compensation. Cllr Davis asked who had objected to the extinguishment of the footpath. Cllr James-Moore said that the objection had been raised by a resident of the village.

7. **Footpath at The Isle of Rhea.**

7.1 Cllr Knott, having declared an interest in this Item, left the Meeting for the duration of the discussion. The Clerk asked for nominations for a Chairman for the Item. Cllr James-Moore nominated and Cllr Austin seconded Cllr Jackson, who was duly elected.

7.2 Mr Cyril Townsend had emailed to the Clerk a copy of a letter from Mr Will Steel, the Herefordshire Council Public Rights of Way Officer, which the Clerk had circulated to Councillors. Mr Townsend said that Mr Steel's letter indicated that a parish council was legally obliged to act in a matter such as alleged obstruction of the footpath at The Isle of Rhea.

7.3 Cllr Mitcheson remarked that the relevant legislation quoted in the letter allowed a parish council to act in such a matter, but did not legally oblige it to do so. He added that the same legislation applied only to a route which was legally constituted as a public highway; this was not the case with the footpath in question since it did not appear on the definitive map of the area.

7.4 Mr Townsend said that the footpath was still in regular use and that the regular users do not want to wait 5-10 years for Amey to take action. Mr David Tilford said that the footpath had never been shown on the definitive map and the matter was for the individuals concerned to resolve, not for the Parish Council. He went on to say that Mr Townsend was misinterpreting the letter from Mr Steel.

7.5 Cllr Powell suggested that Cllr Millar be asked to advise on the matter. The Clerk was instructed to contact Cllr Millar.

ACTION: CS

8. **The Telephone Kiosk.**

8.1 This item had been discussed at the previous meeting.

9. **First World War commemoration.**

9.1 Cllr Knott said that a letter had been received from Mr Bill Wiggin MP, drawing attention to grants that were available to parish councils to commemorate the centenary of the start of the First World War in 2014. The letter also said that free poppy seeds were available. Cllr Jackson suggested that Bodenham School should be asked whether it had any plans to commemorate World War 1 and whether the Parish Council could assist in any way.

ACTION: CS

10. **Vacancy on the Parish Council.**

10.1 The Clerk reported that the vacancy arising from the resignation of Cllr Pollard would be advertised by placing notices provided by Herefordshire Council on

noticeboards and in the *Newsletter*, and that the timetable would be determined by Herefordshire Council. **ACTION: CS**

11. **Vacancy on the Planning Sub-committee.**

11.1 Cllr Knott asked for nominations to fill the vacancy on the Planning Sub-Committee created by the resignation of Cllr Pollard. Cllr Austin nominated and Cllr Mitcheson seconded Cllr Powell, who was duly elected

12. **Enclosure of Publicly Accessible Land.**

12.1 Cllr Knott said that the correct term for such land was 'public open space'. Cllr Powell reported that land on the left of Rowberry Lane between Rowberry Court and the A417 had recently been enclosed with permanent fencing and that land on the right had been enclosed for some time. Cllr Knott suggested that the fencing was temporary electric fencing. Cllr Powell asked whether commoners' rights permitted enclosure with such fencing. Mr David Tilford said that there were three areas of common land in Bodenham, namely:

12.1.1. Next to Blue Cedar Cottage

12.1.2. At Maund Bryan

12.1.3. At Whitchurch Maund

12.2 Cllr Mitcheson suggested that the Clerk obtain a map of the area, investigate the situation and find the relevant procedures under the Commons Act 2006.

ACTION: CS

13. **Police and Crime Commissioner's Report.**

13.1 Cllr Mitcheson suggested that the Clerk should complete the questionnaire on behalf of the Parish Council. This was agreed. **ACTION: CS**

14. **Dog Mess on Footpath BM12**

14.1 Cllr Knott reported that an email had been received from Mr Dave Hill reporting large amounts of dog mess on footpath BM13. After discussion, it was agreed that the Clerk should put up temporary notices on the footpath asking dog owners to remove any mess produced by their dogs. The Clerk was also instructed to put an item about the problem in the next Newsletter. **ACTION: CS**

15. **Milestone opposite Steppes Cottage**

15.1 Cllr Knott reported that Mr Dave Hill had reported that the milestone outside Steppes Cottage had been partially obscured by wood chippings put down by the householder. Cllr Mitcheson said that Amey should be contacted. Cllr Powell suggested that the householder should also be contacted. The Clerk was instructed to contact Amey and the householder. **ACTION: CS**

16. **Finance**

16.1 Cllr Knott presented the accounts, which were accepted, and are attached as Annex A.

16.2 The following invoices were approved for payment:

- Mrs Babs Mitcheson (photographic paper and ink)	£70.99
- Clerk's expenses (PC grant for Clerk's computer)	£283.00
- Leominster Community Resource Centre (July/August Newsletter printing)	£159.85
- DC Gardening Services (Lengthsman's invoice)	£140.20

17. **Planning.**

17.1 **131854/FH: Laxton Barn (Proposed Extension to Garage Block).** Mrs Anita Griffiths, who lives in the neighbouring property, said that she did not object to the application in principle, but sought assurances from the Planning Department at Herefordshire Council that the proposed extension would not exacerbate the current issues with drainage and security lights at Laxton Barn. She reported that the planning application did not indicate whether the proposed extension would provide accommodation for sheep and that the Herefordshire Council Enforcement

Officer had been involved with previous infringements of planning rules at Laxton Barn. Cllr James-Moore said that these issues should be resolved before the Parish Council can form a view on the current application. Cllr Knott said that the Parish Council was aware of a legal dispute relating to the two properties. He agreed with Cllr James-Moore that the Parish Council could not take a decision on the planning application while these issues remain unresolved.

- 17.2 **131668/O: The Forge (Discharge of Planning Obligation of planning permission N98/0306/O).** This application had been withdrawn by Herefordshire Council, because it was “deemed invalid”.

18. **Updates.**

- 18.1 **Bodenham Flood Protection Group.** Cllr Mitcheson gave a report, which is attached as Annex B.

- 18.2 **Neighbourhood Plan.** Cllr Mitcheson reported that a draft Neighbourhood Plan had been placed on the Parish Website and that a draft grant application had been circulated to Councillors. He had asked for comments on both these documents and, in particular, now requested approval of the grant application so that it could be submitted. He added that the Steering Group was following the procedures necessary for gaining acceptance of the Plan. Cllr Powell asked about including in the application the costs of obtaining professional support in preparing the Plan. Cllr Mitcheson replied that quotations would have to be obtained and that this would significantly delay submission of the application. It was agreed that the application should be submitted and Cllr Powell said that the Group should be thanked for their efforts and for the poster, which had been placed on noticeboards and which would appear in the next *Newsletter*.

- 18.3 **Parish Hall.** Cllr Knott reported that the Annual General Meeting had taken place, at which Mr Bob Clarke had been elected to act as Treasurer and no other changes had been made to the Committee. He added that the old kitchen would be removed by 19th August and that the new kitchen would be installed by 12th September, in time for the Jazz Evening, when the new chairs would also be ready. He concluded by saying that the level of hirings was satisfactory and that, although Mrs Grumbley had left, her class had been taken over by someone else.

- 18.4 **Parish Plan.** Cllr James-Moore asked about progress in completing the actions which had been identified as necessary to implement the various aspects of the Parish Plan, for each of which a designated councillor had been given responsibility to lead. Cllr Jackson said that he had understood that the role of councillors was to facilitate rather than lead. Cllr Mitcheson stressed that it was necessary to be more proactive otherwise no progress would ever be made and he suggested that councillors should report on progress in their area of responsibility at each Parish Council Meeting. It was agreed that this should be placed on future agenda under the Updates item.

- 18.5 **Lengthsman.** The Clerk said that payment for the first quarterly invoice had been received. He also reported that an email had been received from Mr Peter Richardson about whether cutting the grass on the verge at the Isle of Rhea was the responsibility of Amey or whether the grass could be cut by the lengthsman. The Clerk was instructed to contact Amey and the Lengthsman and resolve the issue.

ACTION: CS

19. **Correspondence.**

- 19.1 The Clerk reported that he had received an email from Mr Adam Holt, who is one of the Governors of Bodenham School. Mr Holt wished to discuss the introduction of a speed limit near the School and the installation of signs to the School, of which there are none at present. The Clerk reported that he had met Mr Holt and had told him of the procedure for the introduction of a speed limit, as had been outlined by Mr Andrew Lee-Jones of Amey. He had also promised to would raise the issue of signage at the present Parish Council Meeting, because Mr Holt was away. It was agreed that the Clerk should invite Mr Holt to the next Meeting.

ACTION: CS

20. **Other Business (including District Councillor's Comments).**
- 20.1 Cllr Jackson, on behalf of Mrs Liz Davies, raised the issue of excessive noise coming from Brockington Hall. This was noted.
- 20.2 Cllr James-Moore said that the noticeboard by the Church had notices pinned to the frame. The Clerk reported that the noticeboard is full and that he regularly removes notices which do not involve or emanate from Bodenham.
- 20.3 Cllr James-Moore said that the seat by the War Memorial needs staining.
- 20.4 Cllr James-Moore said that gravel from the road next to Bunhill washes on to the C1121. The Clerk was instructed to ask the Lengthsman about this. **ACTION: CS**
- 20.5 Cllr Powell asked about copies of maps of Bodenham. The Clerk was instructed to identify the costs of providing maps. **ACTION: CS**
- 20.6 Cllr Davis reported that there was a puddle of water under the swings at the playground. The Clerk was instructed to inform the Lengthsman. **ACTION: CS**
- 20.7 Cllr Davies reported that road signs in Ketch Lane were obscured by overgrown hedges and that Ketch Lane had been flooded after recent rain. The Clerk was instructed to ask the Lengthsman to cut the hedges back. **ACTION: CS**
- 20.8 Cllr Knott asked about the provision of a slide for the playground. Cllr Jackson agreed to investigate the matter. **ACTION: CS**
21. **Date of Next Meeting.**
- 21.1 There being no other business the Meeting ended at 9.36pm.
- 21.2 The next Meeting of the Parish Council will be held on 2nd September at 7.30pm.

	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr
PC Closing Balance	9526.56	8004.99	6938.22	5128.97	4194.97	7561.03	6169.2	6015.35	5770.55	4922.55	4999.8	4770.8
BFPG Open Balance	2210.27	2210.27	2113.37	2099.87	2129.87	2129.87	2129.87	2129.87	2129.87	2129.87	2129.87	2129.87
BFPG Inc				30.00								
BFPG Ex		96.90	13.50									
BFPG Closing Balance	2210.27	2113.37	2099.87	2129.87	2129.87	2129.87	2129.87	2129.87	2129.87	2129.87	2129.87	2129.87
LADY Close Orchard	158.00	158.00	158.00	158.00	158.00	158.00	158.00	158.00	158.00	158.00	158.00	158.00
Tot Closing Balance	11894.83	10276.36	9196.09	7416.84	6482.84	9848.90	8457.07	8303.22	8058.42	7210.42	7287.67	7058.67

BODENHAM FLOOD PROTECTION GROUP REPORT
(5 AUGUST 2013)

1. **Water Levels.** Although the rain has returned after the dry spell this has not (yet) affected water levels in our main watercourses or presented any significant risk of flash flooding.
2. **Monthly Meeting.**
 - a. Our most recent Meeting was held last Tuesday (30 July) with 28 members and one member of the public present.
 - b. This was Mr Keith Grumbley's last meeting with the Group and members expressed their thanks to him for all the support he had given to the BFPG, both as a member and formerly as our District Councillor, over the past five years.
 - c. Our next Meeting on Tuesday, 27 August is our AGM when the Committee and Area Representatives for the coming year will be elected.
3. **Working Party Sessions.** We held working party sessions on the evenings of Friday 5 July, Friday 19 July and Friday 2 August, during which we continued clearing the ditch in Mr Pugh's Field, just West of Orchard Close. Although the ditch is very badly overgrown, we have made good progress and should be able to finish clearing the whole system from Orchard Close to the Moor Brook with one more working party session, or at most two.
4. **Annual Barbecue.** With their kind permission, we held our Annual Barbecue at Kay and Tony Clark's house on the evening of Saturday, 27 July. We were unfortunate in that the weather broke and instead of sunshine, we had fairly persistent drizzle mixed with patches of light rain. However, Kay and Tony Clark had made excellent wet weather arrangements and the barbecue continued under cover and was much enjoyed by the 32 members who attended.

K.A.M.