

**MINUTES OF THE MONTHLY MEETING OF BOURTON PARISH COUNCIL**  
**HELD IN THE VILLAGE HALL AT 7.00 P.M. ON MONDAY, 15<sup>TH</sup> DECEMBER 2014**

**PRESENT:** S Firbank (Chairman), G Miller, D Lawes,  
A Miller, P Williams, M Withers, C Price and I McVie (Clerk)  
**APOLOGIES:** J Morgan, L Jones.  
**ATTENDING:** 16 members of the public and Andrew Cattaway (County Councillor).

**14.180 OPEN FORUM**

SF welcomed everyone to the monthly meeting and reminded all present that the 'Open Forum' is an opportunity for members of the public to ask questions or make statements. Once the 'Open Forum' is concluded the public are present to watch and listen to proceedings only.

A member of the public asked that action be taken to resolve the deteriorating and dangerous condition of the mill site and that yet again the site was insecure and a danger to the public. The member of the public asked that the parish council find a way of resolving this matter and volunteered to help the council in doing this. SF thanked her for raising the matter and her offer of support. He confirmed the council will discuss the mill site within the standing item on the agenda.

County Councillor Cattaway (AC) provided an update on Footpath 11 confirming both the history of the footpath and the actions taken thus far by DCC. He reminded all present that Dorset County Council (DCC) are responsible for the legality and management of over 750 miles of footpaths in North Dorset, which include 29 footpaths in Bourton covering nearly 7,000 metres. He also reminded all present that DCC is responsible for maintenance of footpaths and that landowners who have designated footpaths running through their land must ensure they are not blocked or left in a condition that makes them impossible to walk on. AC confirmed that footpath 11 is a right of way and is on the definitive map of footpaths and rights of way for Dorset. AC pointed out that footpath 11 is somewhat unique in that it is the only footpath in the village that goes so close to any residences and that the current route of the footpath did make for an unreasonable invasion of privacy for two residents. AC stated that excluding footpath 11 the DCC had been informed of 9 other footpaths in the village that need some form of repair or works. He informed the meeting that DCC have a system for prioritising the work on footpaths and would meet all its obligations in relation to maintenance of all designated footpaths in Bourton. He therefore proposed that the parish council, while accepting that footpath 11 exists and must be maintained, support the prioritising of the DCC works programme to complete repairs on the 9 footpaths first. This would allow time for any residents to consider applying for a diversion of footpath 11. At this point he did remind everyone that the process of having a footpath closed or diverted can take a number of years and would be at the expense of the applicant. SF thanked AC for his efforts and his proposal. PW also thanked AC and in particular for clarifying that footpath 11 does exist in law and therefore cannot just be wished away, and a compromise should be found.

A member of the public explained how a footpath diversion can be lawfully achieved but pointed out it does take time and will cost the landowner(s) money.

Another member of the public reminded the meeting that footpaths are part of the village heritage and should be preserved. She further pointed out that where residents live on roadsides with pavements they have to accept people walking past their front doors and windows.

One member of the public stated the definitive map was wrong and that the footpath while existing was shown in the wrong place. SF and AC re-affirmed the existence and route of footpath 11 and that it is on the definitive map and is legally a right of way that must be maintained. CP asked if the gardens in Mill Rise were still affected by the route of footpath 11. AC confirmed they were not and that the footpath route was not on their property.

SF stated the parish council will consider the points made later in the meeting under the standing item for footpaths.

**14.181 DECLARATIONS of INTEREST**

S. Firbank declared a personal interest in Bourton Mill (neighbour).

C. Price declared a personal interest in Bourton Mill (neighbour).

M. Withers declared a personal interest in the village hall (neighbour).

**14.182 MINUTES OF THE PREVIOUS MEETINGS**

The minutes were agreed by all as an accurate record and signed by SF.

### **14.183 ACTIONS ARISING FROM THE MINUTES**

SF confirmed the following actions had been completed:

Rugby Cottage outline planning application was heard by NDDC on 9/1/2014. SF, MW, CP, PW and IM were in attendance. The parish council representations were heard and following discussion the committee granted the outline planning permission for 10 houses. MW added that due to a change in national planning guidance the applicant did not have to provide a percentage of affordable housing, as the proposed development is for 10 or less dwellings, which was disappointing. GM stated that he felt this change in central government policy was unfair and would affect the ability of villages to increase the numbers of affordable new homes. MW reminded the meeting though that through a neighbourhood plan the village will be able to make policy that could include the need for a percentage of affordable housing on any development with more than one property. PW asked if the original offer by the developer to provide funding for youth facilities was also affected. MW stated that the NDDC decision did not affect this community infrastructure levy and that as previously agreed the parish council has made representations to be involved in where this funding would be spent. PW stated that he was concerned this was not the case and that the funding had also been removed as an obligation for the developer. GM stated that he believed only the affordable housing had been removed. Following a short discussion the meeting agreed an action.

**ACTION:** GM and MW to confirm the full conditions of the section 106 for Rugby Cottage.

SF confirmed that the agreed actions for Bourton Mill had been completed, but as previously stated the matter of the deteriorating condition and safety of the site would be discussed later.

IM confirmed that all arrangements were in hand to transfer the £600 village events fund into the parish council accounts upon completion of the accounts for the Christmas pantomime.

SF confirmed that footpaths in general and footpath 11 would be discussed later in the meeting.

IM confirmed that DCC had proposed to provide the parish with £1525.07 funding to enable the parish council to cut and maintain the 8971 sqm of grass verges and banks currently managed by DCC. AM asked if it was possible to obtain a quote(s) to see if the sum offered by DCC would be sufficient and to ensure the parish council do not end up having to find additional funds in 2015/16.

**ACTION:** IM to obtain information as to likely cost for parish council to decide on the offer from DCC at the next meeting. (Note: Information obtained by 18/12/14 for the January meeting).

### **14.184 REPORTS BY THE DISTRICT AND/OR COUNTY COUNCILLOR**

GM (District Councillor) informed the meeting that NDDC had discussed the community fund grant for 2015/16 and had approved the provision of funding to town and parish councils including £252.50 for Bourton. IM confirmed he would take this into account when preparing the precept. GM confirmed that the introduction of superfast broadband for Bourton was progressing as planned.

GM stated that the tri-council partnership was progressing and for NDDC was anticipated to save £6m by 2020, he confirmed he would keep the parish council updated as this developed.

Note: GM had to leave the meeting at this point, at 7.40pm.

AC (County Councillor) updated the meeting that the current Member of Parliament (MP) for this area has announced his intention to stand down as an MP at the next election. He informed the meeting that the process to select a suitable candidate for the Conservative Party to stand at the next General Election would be completed in early 2015.

### **14.185 PLANNING MATTERS**

#### **14.185.1 Applications received - One**

PLG1461/14. Clare Cottage, Brickyard Lane – Erect an extension. IM confirmed this was with the Planning Sub-Group who were reviewing the application before submitting any comment to NDDC.

#### **14.185.2 Applications granted - None**

#### **14.185.3 Applications withdrawn - None**

**All applications can be viewed on dorsetforyou planning portal or via the village website.**

#### **14.185.4 Bourton Mill**

SF confirmed that MW and IM had met and that he had informed the owner of the site that there were further insecure openings to the site in Factory Hill.

PW stated that as had been said in the open forum the mill site was deteriorating with ever more insecure openings onto the site. Access being gained on a regular basis by trespassers, fly-tipping and collapses of structures within the site. He stated that he was increasingly concerned about the health and safety risks associated with this site and the associated environmental impact to the

area. He stated that he had found evidence of some councils taking action in similar circumstances and enforcing Sections 77 and 79 of the Building Act 1984 which does, through the Magistrates Court give powers to compel the owner to make safe their property and if need be for the district council to complete safety work including demolition and recoup all costs from the owner.

MW pointed out that the NDDC are the enforcement authority and that the parish council do not have any legal powers to enforce any action by the owner. He also reminded all present that the parish council have repeatedly reported issues on the site to both the owner and NDDC. PW stated that while this had been done the owner has over many years failed to maintain the site in a safe and secure way. Since the granting of the Section 106 planning application he has failed to take any steps to develop the site. PW proposed that the parish council look to apply further pressure upon the owner to resolve the situation. AC suggested that any letter should also make reference to taking the matter to the Environment Agency and the Department of Communities and Local Government. Following further discussion the following action was agreed.

**ACTION:** IM to report the security breaches, fly-tipping, trespassing and deteriorating condition of the site, once again to NDDC. (Note: NDDC and the owner informed 16/12/14 and an NDDC enforcement officer assigned to visit the site).

**ACTION:** PW with support from interested members of the public to write to the NDDC Chief Executive and Council Leader expressing the parish council concerns about the site and demanding the NDDC use the enforcement powers to compel the owner to resolve the safety and security of the site. (Note: Letter sent by PW to NDDC on 18/1/214).

#### **14.185.5 Solar/Wind/Photovoltaic Sites**

PW stated there were no further updates at this time.

#### **14.186 FINANCE**

##### **14.186.1 Accounts to be paid**

Mr P.J. Cook.	Xmas tree foundation consultation fee.	£132.00
Mr P.J. Cook.	Xmas tree foundations	£ 540.00
Mrs G. Overington	NPG Expenses	£ 708.77
Mr I.J. McVie	Mileage and training Expenses	£ 44.79
Mr P. Cowell	Cemetery banks, boundaries	£ 102.00
Bourton Fencing	Oak Post, East Street	£ 540.00

##### **Proposed by CP, Seconded by PW and agreed by all.**

SF asked that the minutes reflect the parish council thanks to the volunteers who have erected the Christmas tree this year and to the Garage for the provision of funds.

##### **14.186.2 Accounts received – None.**

##### **14.186.3 Grants and Donations – None.**

##### **14.186.4 Precept 2015/2016**

IM updated the meeting concerning the planning for next year's precept and asked for all councillors to consider what expenditure may be needed in 2015/16. IM confirmed he would keep the councillors up to date with the progress of precept planning.

#### **14.187 NEIGHBOURHOOD PLANNING GROUP**

MW provided an update for the meeting. He confirmed that the NPG continues to work on the consultation draft of the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) alongside NDDC planning policy officers. He stated that a useful meeting took place with the VHM and their consultant Hilary Ritchie to discuss ways in which the new village hall proposal could be moved forward. It became clear from the meeting that nothing could be done regarding identification of a site until after the NPG had completed its SA/SEA process, without risking the whole NP process being legally challenged as non-compliant at public examination stage. All parties agreed to hold back until the SA/SEA process was completed. It is hoped this will be in Spring 2015, which includes a six week period of consultation for the statutory consultee's and Bourton residents. MW stated that it is hoped that the draft document can be submitted to NDDC early in the New Year. MW confirmed that the government have issued further planning guidance (28<sup>th</sup> November 2015) which will have an effect on both the NP and on NDDC's emerging local plan. The guidance states that councils can no longer ask for affordable housing contributions from developers on proposed development sites of ten or less homes (and which have a maximum combined gross floor space of no more than 1,000sqm). MW reminded the meeting that this change took immediate effect and led to the decision by NDDC to grant the Rugby Cottage application for ten houses with no affordable housing provision.

#### **14.186 NEW VILLAGE HALL**

PW confirmed that the meeting held on the 25<sup>th</sup> November 2015 had been very worthwhile and that Hilary Ritchie had provided a number of helpful suggestions. He informed the meeting that the VHMC wish to continue using Hilary and would look to request funds from the parish council in the next financial year. SF asked that this be done in good time so that it can be considered in the discussions for the 2015/16 precept. He also asked if the VHMC would be producing a business plan to support any application for such funds. PW stated that until a site for the new hall was agreed a full business plan would not be possible, but he confirmed that there is an outline business plan in place and he would be happy to provide the council with a copy. PW confirmed that the VHMC would provide the council with a proposal for funding within the precept.

PW stated that the VHMC had concerns about the lack of action being taken by the mill site developer and that if he did not build how this could affect the decisions of the owner of the preferred village hall site. Who could consider an application to build a large number of houses on the preferred site? MW stated this would not be possible as under the existing and proposed planning policy any such application would not succeed as it would be against both policies. MW also reminded the meeting that if the current planning permission for the mill site expires the NPG have built into the policies the ability to have future reviews to adjust plans.

#### **14.187 TRAINING**

SF confirmed no updates at this time.

#### **14.188 FOOTPATHS**

SF reminded everyone of the discussions held earlier in the open forum and that DCC had confirmed they would be looking to complete as much outstanding repair work as they could on the 21<sup>st</sup> and 22<sup>nd</sup> January 2015 on a priority basis. He asked that the parish council do support DCC in prioritising the current backlog of outstanding maintenance works on footpaths 1, 2, 5, 9, 12, 15, 24, 29 and 30, some of which were reported to DCC in March 2014. This would leave any works on footpath 11 to be progressed by DCC in the future. PW asked that the parish council support any application made by residents to have footpath 11 diverted. IM confirmed that this could not include financial support. Following a discussion it was agreed that the parish council would support DCC in how it decides to prioritise the footpath repairs and would support an application by an individual(s) to have footpath 11 diverted.

**PLEASE NOTE Any member of the public can contact DCC on the dorsetforyou website, footpaths section and report a problem on line.**

#### **14.189 HIGHWAYS**

MW reminded the meeting that the government had pledged to fund improvements on the A303 and that this could be an opportunity to obtain improvements to reduce the noise levels of traffic on the A303 section that runs parallel to Bourton. He reminded all present that the current re-surfacing work on the Somerset sections of the A303 had produced much reduced traffic noise. He stated that Jenny Morgan would be prepared to progress, with other affected villages such as Zeals, a petition to central government and the national Highways Agency to see if we could access funds to get both resurfacing and noise suppression boards installed on the A303. All councillors agreed this would be a good idea and AC suggested it would be sensible to also involve our local MP also.

**ACTION:** JM to progress a petition for noise reduction works on the A303.

#### **14.190 TRANSPORT**

SF confirmed there were no new updates.

#### **14.191 COMMUNITY SAFETY**

SF informed the meeting that there had been two recent thefts of oil and that residents should take advantage of the crime prevention services offered by the Dorset police that including advice on improved security and locks and such things as shed alarms for outbuildings.

#### **14.192 SALT BINS**

AM confirmed that all bins had been checked and were now ready for the winter. SF reminded everyone of the need to use the salt sparingly as there is no need to shovel excess amounts onto any ice/snow covered paths or roads, a light spreading of salt will suffice.

### 14.193 CORRESPONDENCE

02/12/14	Wildlife and Habitat Group	Update on footpaths - Response provided, DCC informed and filed
02/12/14	Cranborne Chase AONB	E-Bulletin Newsletter - Website
02/12/14	NDDC	Planning application 1461/14, Clare Cottage, Brickyard Lane - To PSG
02/12/14	PCSO Mullins- Police	Speedwatch information - Response given & to Speedwatch Coordinator.
05/12/14	NDDC	Tri-Council consultation for Councillors - To all Councillors
05/12/14	DCC	Consultation on waste disposal sites - Already dealt with 25/11/14
05/12/14	NDDC	Newsletter - All Councillors and website
05/12/14	DAPTC	Newsletter - All Councillors
17/12/14	DAPTC	Update of flood warden contacts - To Flood Warden for information
17/12/14	DAPTC	Information on PCC Safer Fund - Filed
17/12/14	Cranborne Chase AONB	Information on AONB newsletters - Filed
02/12/14	Wildlife and Habitat Group	Update on footpaths - Response provided, DCC informed and filed
02/12/14	Cranborne Chase AONB	E-Bulletin Newsletter - Website
02/12/14	NDDC	Planning application 1461/14, Clare Cottage, Brickyard Lane - To PSG
02/12/14	Dorset Police	Speedwatch information - Response given & to Speedwatch Coordinator.
05/12/14	NDDC	Tri-Council consultation for Councillors - To all Councillors
05/12/14	DCC	Consultation on waste disposal sites - Already dealt with 25/11/14
05/12/14	NDDC	Newsletter - All Councillors and website
05/12/14	DAPTC	Newsletter - All Councillors
15/12/14	DAPTC	Update of flood warden contacts - To Flood Warden for information
15/12/14	DAPTC	Information on PCC Safer Fund - Filed
15/12/14	Cranborne Chase AONB	Information on AONB newsletters - Filed

Please contact the clerk if you require any further information.

### 14.194 ANY OTHER BUSINESS

SF reminded all present that the Dorset Police and Crime Commissioner (PCC) was consulting the public concerning next year's police element of the precept and that individuals could respond through the PCC website. IM confirmed this had also been advertised on the village website.

### 14.195 DATE OF NEXT MEETING - MONDAY 26<sup>TH</sup> JANUARY 2015

14.196 SF thanked everyone for attending and formally closed the meeting at 9.01pm.

Chairman: S.Firbank

Date: 15<sup>th</sup> December 2014

**Note: The minutes will be reviewed and formally ratified by the BPC on 26<sup>th</sup> January 2015**

**VIEW THE BOURTON VILLAGE WEBSITE FOR INFORMATION and NEWS**

[www.bourtondorset.org](http://www.bourtondorset.org)