

**MINUTES OF THE ANNUAL MEETING OF BOURTON PARISH COUNCIL  
HELD IN THE VILLAGE HALL AT 7.00 P.M. ON MONDAY, 30<sup>TH</sup> JUNE 2014**

**PRESENT:** S Firbank (Chairman), M Withers, A Miller,  
G Miller, P Williams, D Lawes, C Price.  
**APOLOGIES:** H Baker, L Jones.  
**ATTENDING:** A.Cattaway (County Councillor), Graham Stanley (DCC), 33 members of  
the public and Iain McVie (The Clerk)

**14.53 OPEN FORUM**

SF welcomed everyone to the monthly meeting. He 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.

The Chairman of the Village Hall Management Committee made the following statement 'Firstly, the subject of funds held by the VHMC came up at a meeting recently and I was told that many people in the village think that because we have a considerable amount in the bank, now around £50,000, we should not ask the parish council for money. I would like to take this opportunity to explain that we will need every pound of the money we have raised in order to attract grants and we hope some match funding once we have a site. The parish council offered some time ago to help us deliver a new hall and have paid expenses such as professional fees, architects and lawyers. We think it appropriate to apply to them rather than deplete our hard earned funds. The parish council do not raise their own money and what they give out as I understand it comes from the precept which is tax payer's money. It would be good to feel that the parish council is one hundred percent behind the provision of a new hall and prepared to help with some of the financing when appropriate, this is after all a community scheme. Secondly I believe that the Neighbourhood Planning Group (NPG) will be delivering the results of the questionnaire into every home in the village. Would it be possible to put in a paragraph explaining that a strategic environmental assessment (SEA) now has to be carried out on all the possible sites for a new hall and that once it has been completed the village will be asked, via another questionnaire, to agree a specific site for the scheme.

SF thanked the chairman and confirmed that the parish council has and will continue to support the VHMC to find a site and build a new village hall and facility.

MW confirmed that the questionnaire results will go to every household and that he would be informing the council of the results later in the meeting. He also pointed out that the SEA is only necessary because of the new village hall it is not a NPG requirement. He further reminded all present that the SEA was required under national, local and EU legislation. MW confirmed that he did not believe every site would need to be looked at and that the NPG would consult with the NDDC to avoid unnecessary work and progress the SEA as quickly as possible. MW confirmed there would be sufficient information provided to households covering the points the VHMC requested.

Two members of the public requested that the grass verges on the main road through Bourton by the junction with the High Street be cut as they block the view of drivers exiting the High Street. Graham Stanley of DCC confirmed this would be done and that all the verges and banks would be cut by the end of July. SF thanked him for this information and action.

A member of the public raised concerns about the new electronic only planning process now operated by the NDDC and the difficulties this caused when interested parties wanted to view plans. He provided examples of how the plans cannot be understood due to the lack of scale and dimensions as the large paper copies of plans are no longer available. These previously enabled a greater understanding of the application and any possible adverse effects on neighbours or the village. He also wished to register that planning was not owned by the NDDC but by the public, a point that GM agreed with. He also raised an issue relating to a previous planning application that continues to cause issues along the boundary of his property. He further asked that the parish council look in more detail at future planning applications to avoid inappropriate developments taking place in the village.

SF confirmed that the planning sub-committee will continue to oversee planning applications and provide appropriate objections to the NDDC who run the planning process. IM confirmed he would

be happy to write to NDDC raising any concerns over the electronic planning process and the issue of a previous planning application raised by the member of the public if he wished him to.

The next item was a one hour discussion on 'Footpath 11'.

The action arising from this discussion is formally recorded under item 19 in these minutes.

A member of the public initially reminded the meeting of the responses to the village questionnaire where 96.9% of respondents had stated they wished to see footpaths in the village open and utilised. He then described the footpath as a 300 metre long path that had no current fingerposts, at least 60 metres of which was impassable with overgrown vegetation and a gate that had collapsed. He further informed the meeting of the information he had established concerning the legality and route of footpath 11 in the village which originally was referred to as footpath 3. He produced a number of documents, copies of which were provided to the parish council. These documents included a four page letter dated 25/11/1959 from Shaftesbury Rural District Council describing the route of footpath 3 (now 11) and a brief description of its earlier history and original route. The other five documents were copies of various undated maps showing the route of footpath 11. The final document was an email from a Roger Bell the Rights of Way Officer for DCC confirming that footpath 11 was and is still in existence and confirmed its route. He also confirmed that whilst the route of the footpath runs through a Site of Nature Conservation Interest (SNCI) he has confirmed with experts that walkers would not be an issue in these circumstances.

He requested that the parish council request footpath 11 be re-opened and that all blocked footpaths in the parish are cleared by DCC.

SF thanked him for the information and invited comment from the public present.

A number of members of the public expressed a view that footpath 11 as described has not and never has been a footpath or right of way. This included residents who stated their existing house deeds do not show any footpath marked either near their property or in some cases through a section of their grounds. A member of the public stated that he had discovered in 2006 that footpath 11 does exist and runs through the bottom of his land, he stated that at this time the countryside officer believed the path could be realigned where it affects 12 and 13 Mill Rise to then skirt around these properties. At this point Graham Stanley of DCC pointed out this would be possible and also that the maps of footpaths do allow for tolerance as a felt tip pen is used on maps to show a path which means a good chance DCC can bring the footpath out of the gardens in Mill Rise. This was further supported by a member of the public who is the solicitor for the Countryside Landowners Association (CLA). He also confirmed that property deeds would not show the routes of footpaths, as land registry do not keep records of rights of way. Each county council retains the definitive copy of footpaths for its county. He also explained that there is a process called 'map modification order' that can be progressed to alter the route of a footpath.

Two members of the public raised concerns over security of their land and house if the footpath was legally there and re-opened. Another member of the public asked who would pay for the footpath to be cleared and reopened if it is shown that it existed. It was confirmed that the cost would be met by the DCC. Two members of the public expressed concern about this cost at a time of reduced council funding and the reduction in other council services and questioned if the cost merited the likely use of the right of way.

Another member of the public stated she would use the footpath if it was re-opened.

During the discussions SF reminded the public that they needed to allow individuals to speak and behave appropriately during any such discussions.

Andrew Cattaway, County Councillor then summarised the discussions and explained the complexity of both rights of way recording and the legislation that governs how they are maintained and where there are disputes how they are resolved. He also reminded all present that there are different views on the legality and route of footpath 11 and that these needed to be resolved first. He proposed that he would task DCC to research and establish the exact history and legality of footpath 11. To also look at the point made previously concerning 'tolerance' and to consult with all land and property owners who may be affected.

SF thanked him for this and confirmed that this would be recorded as a formal action under the agenda item of footpaths later in the meeting. At this point the open forum was concluded.

#### **14.54 DECLARATIONS of INTEREST**

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

M Withers declared a personal interest in the potential Village Hall site (neighbour).

#### **14.55 MINUTES OF THE PREVIOUS MEETINGS**

SF confirmed the previous minutes the Annual General Meeting and the May Meeting. All agreed they were accurate and agreed by all.

#### **14.56 ACTIONS ARISING FROM THE MINUTES**

IM confirmed that all outstanding actions would be covered in the main agenda.

#### **14.57 REPORT BY THE DISTRICT AND/OR COUNTY COUNCILLOR**

##### **Report from District Councillor**

No updates for this meeting.

#### **14.58 CONFIRMATION IN POST OF CLERK**

SF informed the meeting that there is a requirement to confirm the Clerk in post.

**Proposed by PW, Seconded by MW and agreed by all.**

#### **14.59 PLANNING**

##### **14.59.1 Applications received**

2/2014/0472/New Road-Demolish and build new house.

2/2014/0491/Bourton Cross Brickyard Lane – Replace a single storey extension.

2/2014/0675/3 Bridge Street-Build first floor extension.

##### **Applications granted**

2/2014/0398 Forge Cottage, High Street, new extension to replace existing structure.

IM provided update on all applications.

**Note: All applications can be viewed on dorsetforyou planning portal.**

##### **14.59.2 Bourton Mill**

SF reminded all that there remains the strong possibility for the front part of the site to be cleared/demolished hopefully in August and that it was his understanding the site had recently been visited by the owner and representatives of the bank who would be financing the development.

PW asked if there was any further update on the possibility of a variation to the planning application as previously discussed. SF stated that his understanding is this is not likely as the improved housing market makes the existing application financially viable including the two five bedroom properties.

IM confirmed he had completed his action and that legal advice is that any individual trespassing on the mill site is responsible for their own actions and that the owner is not liable and neither is the parish council or NDDC. He further confirmed any breaches of the perimeter will continue to be reported to the owner and NDDC for the owner to re-secure and make safe.

MW asked if the recent book about Maggs and Hindley which has a good history of the mill site, processes and past. He pointed out it may be of use to the developer and NDDC as some of the site may be listed and could possibly need to be considered by NDDC as the development progresses. All agreed this was a valid point.

**ACTION:** IM and MW to draft appropriate letter to NDDC & IM to purchase copy of book for council.

##### **14.59.3 Solar/Wind/Photovoltaic Sites**

PW reminded the meeting that it was important to retain this as a standing item on the agenda as there are ongoing issues with existing sites that Bourton Parish borders and the likelihood of further applications on sites whilst not within the parish boundaries they could have an impact on the village in terms of environment and maintaining the rural landscape. There was then discussion on potential applications within the Bourton district Ward but not within the parish boundaries.

##### **14.59.3 Boyes Transport, Zeals.**

SF confirmed that the planning application by Boyes Transport to operate a haulage business New Road, Zeals had been successful. IM confirmed that the parish council objections had been considered in the planning meeting and that the final decision included that all transport must enter and leave the site via the A303 junction at Zeals, which, should ensure that Bourton is not effected by this business. PW asked how this would operate in practice. IM confirmed that if the haulage operator failed to operate the business as agreed in the conditions of the planning decision he

commits an offence, which, Boyes have been subject to in 2010 from their Stoke Tristar base. SF also informed the meeting that IM had written to the Wiltshire County Council as they had failed to inform the parish council of the date for the planning meeting as they had previously agreed to.

## 14.60 FINANCE

### 14.60.1 Accounts to be paid

I. McVIE	Expenses (inc. paper)	£ 41.54
Wessex Ground Repairs	Playground equipment repair	£462.00
DAPTC x2	Training Courses	£ 60.00
P. Cowell	Cemetery Cuts	£149.00
DAPTC	Annual Fees 14/15	£276.17
TAB Services	Audit fees 13/14	£ 75.00
P.Cowell	Verge and playground benches fit	£155.00

**Proposed by MW, Seconded by PW and agreed by all.**

### 14.60.2 Accounts received

Hire of Parish Marquee - £200

### 14.60.3 Grants & Donations

SF proposed that the parish council fund a fairground organ for the village fete for £150.

Mere and District Linkscheme - £150

St.John Ambulance - £100

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

Victim Support Dorset (based at Poole) requested a donation which was discussed.

**ACTION:** IM to research further and bring back to July Meeting.

## 14.61 NEW VILLAGE HALL

SF informed the council that he had chaired a meeting with Harriet Palmer (VHMC) and Mike Withers (NPG) with the clerk also present. He confirmed that the meeting had been successful and included confirmation of the SEA process and the handing over of the necessary documentation from the VHMC to the NPG to progress the SEA. SF stated that the information supplied was comprehensive and he thanked Peter Williams for compiling the information. The one remaining action was discussed and it was agreed that it should now be progressed.

**ACTION:** PW to arrange a meeting between NPG and Brimble Lea after the results from the forthcoming questionnaire are known.

## 14.62 NEIGHBOURHOOD PLANNING GROUP

MW informed the meeting that the data collected from the second questionnaire had now been inputted and a copy of the initial results newsletter was provided to all councillors, which will be delivered to each household. MW informed the meeting that the NPG and its volunteers had delivered 388 to households and collected 277 (71.39%) completed questionnaires. There were 713 individual questionnaires and of these 481 (67.46%) were completed and collected.

MW stated that it is intended to print the prime results in a newsletter this week and deliver them to households the week after. He confirmed there would also be a drop in session, probably in early August, with the full results, including the very large amount of comments received. MW explained that the NPG now had two major tasks to complete before a draft neighbourhood plan (NP) can be written and shown to residents. The first task relates to the requirement of NDDC for the NPG to prepare the SEA of a number of alternative sites which could provide the village with a new hall. He confirmed this is a necessity because the NP is proposing to allocate a site for re-location of the village hall together with a small amount of enabling housing. MW reiterated that this is definitely not a NPG requirement but emanates from EU directive(s), through national government and on to NDDC. He confirmed that if the SEA is not done properly and fairly, then it is certain that the NP will fail at the public examination stage and the huge amount of work that has been done will have been wasted. MW confirmed that the VHMC had provided to the NPG on the 19<sup>th</sup> June its evidence gathered in its site selection process. He confirmed that the documentation is now being reviewed by NPG and the VHMC have helpfully said that if anything more is required then they will again look through their files to try and find it.

MW confirmed that the NPG will be discussing the necessary work to complete the SEA with NDDC and Planning Aid, England. He reminded the meeting that NDDC had been unable to provide any support to the NPG since March but is now in a position to provide support from August. He explained that this issue and delays in getting the historic VHM information is likely to have an impact on the overall NP programme. He confirmed that once a meeting with NDDC had taken place then the exact impact will be known and reported back to the parish council. MW stated that the second area of work will be analysing all the information collected so far, including from both NPG questionnaires, the Village Design Statement, VHM documents and individual interviews with landowners and businesses. This will then form part of the evidence base for writing the NP policies, along with national and local planning requirements and information. MW confirmed that the questionnaire showed overwhelming support from residents for a new village hall with a small amount of housing.

#### **14.63 TOM MITCHELL SALVER 2014**

SF asked for nominations and six persons were proposed from the council and the public. Please note the discussion and decision taken by the council were completed in a closed session. The recipient will be informed by the Chairman and confirmed at the July Meeting.

#### **14.63 TRAINING**

IM confirmed the July training sessions to the council.

#### **14.64 FOOTPATHS**

**ACTION:** As stated in the open forum Andrew Cattaway will arrange for DCC to investigate the history of Footpath 11 and options to resolve the issue amicably.

#### **14.65 HIGHWAYS**

SF confirmed there were no new updates.

#### **14.66 TRANSPORT**

SF confirmed there were no new updates.

#### **14.67 COMMUNITY SAFETY**

SF stated no one had volunteered as Speedwatch Coordinator, but, the advert will continue.

#### **14.68 VILLAGE SIGN**

SF confirmed work was progressing well and the sign will be refitted soon.

PW asked if the pole will be repainted as well and if the missing part of the sign is being replaced.

SF stated the pole will be painted and the missing element will be replaced.

#### **14.69 VILLAGE GATES**

SF stated he was disappointed this matter was still ongoing and asked whether the council wished to continue with the idea. Following a discussion it was agreed to have actions completed for the July meeting and either finally agree or discontinue project.

**ACTION:** SF to confirm final costs with LJ and proposed siting of gates with HB for July Meeting.

#### **14.70 CEMETERY WALLS, GROUNDS and OUTSTANDING RENT ON NEW CEMETERY**

IM reminded all present that they had received copies of the comparison quotes and following discussion it was agreed to have the front cemetery walls repaired by TA Green for £2972.70.

**Proposed by PW, Seconded by DL and agreed by all.**

**ACTION:** IM to arrange contract (Note: Done works to be carried out in August 2014).

SF also confirmed that once on site the builder will assess the side wall to the cemetery to confirm if any remedial action is required. SF also informed the meeting that he had authorised emergency clearing and repair work to the cemetery grounds including tree work and removal, this work totalled £995 to P. Cowell and he asked that this be paid.

**Proposed by MW, Seconded by AM and agreed by all.**

SF asked GM to chase up farmer for rent for 13/14 year and 14/15 year on new cemetery site.

**ACTION:** GM to speak to farmer to pay outstanding rent for new cemetery site.

#### **14.71 CLEANING WAR MEMORIAL AND WAR GRAVES IN CEMETERY**

IM confirmed the quotation(s) to clean and repair any eroded joints on the War Memorial. Following a discussion it was agreed to progress the quote from Inspire Conservation for £1483.62 Inc VAT.

**ACTION:** IM to arrange contract (Note: Actioned and works to be completed in August 2014).

IM informed meeting that a member of the public had asked if the two war graves in the cemetery could be cleaned. He confirmed that they had last been cleaned in 2012 and were due to be

cleaned again in 2015 by the Commonwealth War Graves Commission. (Please note since the meeting the CWGC has agreed to clean the two war graves in July 2014 as they are in the area.)

#### 14.72 CORRESPONDENCE

30/05/14	Capita	Advert for courses for Clerks - Filed
30/05/14	CRW	What's GR8 in SP8 -Village Website, Filed
30/05/14	Towns Alive	Advert for services and seminar- Filed
06/06/14	DAPTC	Chairmanship Training Dates - To Chairman and Vice Chairman.
06/06/14	Police Crime Commissioner	Advert for PCC Public Forum Shaftesbury Town Hall 1/7/14 - Website
06/06/14	DCC/DAPTC	Dementia Friends Training Day 9/7/14 - Website
06/06/14	Towns Alive	Advert for services and seminar- Filed
06/06/14	Mr. Cox	E Mail concerning flooding in MI rise/Mill Lane into Bridge St - Dorset4U
06/06/14	NDDC	Planning App. 14/472, New Rd, demolish and build new house - To PSC
06/06/14	NDDC	Planning App. 14/491, Bourton Cross, Brickyard Lane, demolish and replace single storey extension and associated works - To PSC.
13/06/14	DAPTC	Notice canceling PCC Forum on 1/7/14 - Website
13/06/14	Village Fete	Advert for Village Fete 12/7/14 - Placed in both notice boards,
13/06/14	St Johns Ambulance	Request for donations - June BPC Meeting and website.
20/06/14	Email Mr & Mrs. Hounsell	Request for road drains to be unblocked and war grave in cemetery to be cleaned. Both actioned and awaiting replies from DCC and CWGC.
26/06/14	Waterfront Magazine	Advert for training in relation to CIL - To NPG for information
26/06/14	Business Stream, Scotland	Advert for Services - Filed
26/06/14	DAPTC	Information on 2015 Queens Birthday Honours- To Chairman
26/06/14	DAPTC	Northern Area Minutes - Circulated to all BPC
26/06/14	Victim Support Dorset	Request for donation to the charity - To Parish Council Meeting 30/6/14
26/06/14	Street Collective	Advert for Services - Filed
26/06/14	DCC	Contact details for traffic management at DCC - Filed
26/06/14	Dorset Community Action	Advert North Dorset Community Lunch 5/8/14 - To Chairman and filed
26/06/14	Wiltshire Council	Information on the WCC levy for CIL for 2014 onwards - Filed
26/06/14	Police Crime Commissioner	Dates for PCC community remedy events in county - Website
26/06/14	DCC	Public consultation on county flood strategy- Flood Warden & website
30/06/14	Woodland Trust	Free Trees for planting - To School and Wildlife and Habitat Group.

Please contact the clerk if you require any further information.

#### 14.73 ANY OTHER BUSINESS

CP wished to register the thanks of the parish council to Ruth and Ian Hounsell for their work in completing the display for the World War 1 commemoration and reminded all that the information for the commemoration service in the church was confirmed in the Upper Stour magazine.

#### 14.74 DATE OF NEXT MEETING - MONDAY 28<sup>TH</sup> JULY 2014

14.75 SF thanked everyone for attending and formally closed the meeting.

Chairman: .....

Date: 30<sup>th</sup> June 2014

**Note: The minutes will be reviewed and formally ratified by the BPC on 28<sup>th</sup> July 2014**