

Witchford Parish Council

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Minutes of the Parish Council Meeting held on Wednesday 2nd April 2008 at 7.30 pm in St Andrew's Hall

Present

Mr M Flack-Crane (in the chair)
 Mr G Jellicoe
 Mrs S Bromley-Allen
 Mrs D Field
 Mr I Allen
 Mr J Carter
 Mr B Colling,
 Mr I Brand
 Mr N Holdsworth

Apologies: Mr N Cooper, District Councillor P Wilson

In Attendance: County Councillor W Hunt, and District Councillor G Wilson, Mr A Howe

- 313 The **minutes** of the Parish Council meeting held 5th March 2008 were taken as read, approved and signed by the Chairman.
- 314 No declarations of interest were recorded.
- 315 Two candidates had come forward for **co-option** to replace Parish Councillor Craig D'Cunha. One candidate subsequently withdrew and Alan Shields was duly co-opted and signed his declaration of acceptance of office.
- 316 **Report from County Councillor** – the Chairman agreed that this item could be taken out of order as Councillor Hunt had another meeting to attend. Councillor Hunt reported that the Mereham Inspector is likely to report to the Secretary of State in April and the **Mereham** action group hopes that people against the development will write letters to the Secretary of State. He had attended a meeting in Sutton regarding heavy goods vehicle movements. Councillor Hunt reported on progress with the guided bus; the likely introduction of the congestion charge in Cambridge and the increase in cost from £2 to £2.20 for the park and ride. He had accompanied Councillors Jellicoe and Allen to a meeting with County Council representatives regarding the proposed **waste recycling plant**. He confirmed that the County Council's preferred site is just where Witchford did not want it and that he would support the proposal only if it were at the back of the site and of the highest quality. (Councillor Hunt left the meeting)
- 317 Mr Andy Howe Chairman of the **Parish Plan** Committee attended for this item. A draft action plan had been circulated prior to the meeting which showed how the steering group arrived at the priority ratings. Mr Howe explained that a date had now been set for the public meeting to present the plan to the public and gave further details of the intended future progress of the Plan. Following discussion regarding the status of the plan, it was agreed that the plan would be a useful guide for the Parish Council in its work and it was resolved that the plan be adopted. Mr Howe left the meeting.
- 318 A letter had been received from Taylor Vinters Solicitors acting for the owner of 143 Main Street, Witchford. Witchford Parish Council had been attempting to register with the Land Registry ownership of various pieces of land in the village, including **Mills Lane**. Taylor Vinters state that although the Definite Map and Statement refers to Mills Lane as a footpath, a Rural Property Consultant employed by them to assess

- the highway status of this Lane concludes that Mills Lane is a long established public highway. His report states that research into the Enclosure Awards and Ordnance Survey maps reveal that the County Council has incorrectly recorded Mills Lane as a footpath. The clerk had consulted the County Council Definitive Map Officer regarding Taylor Vinters' letter and she has responded that no application has yet been made to the County Council to amend the Definitive Map and Statement which is recorded as public footpath no 6 Witchford. The Definitive Map Officer explains how footpath 6 was first recorded and goes on to explain that the enclosure evidence is some of the most important documentary evidence to consider when investigating such a claim. The description of the 6th private carriageway is good evidence that this section was intended as a private carriageway only and the fact that in order to get to it, the relevant user would have to use Mills Lane suggests that Mills Lane must carry at least the same rights as the 6th private carriageway. She states that there are other sources of evidence that the County Council would consider when investigating a claim for modification to the Definitive Map but states that a more important point is the impact that part 6 of the Natural Environment and Rural Communities Act 2006 (NERC) had had on the ability to record byways open to all traffic on the definite map and statement. Under section 67(1) of NERC any existing unrecorded public rights of way for mechanically propelled vehicles were extinguished on 2nd May 2006 (with a few exceptions). An application made under s.53 of the Wildlife and Countryside Act 1981 could not, therefore, conclude that the route ought to be recorded on the Definitive Map as a byway open to all traffic. The highest status that it could be amended to show would be a restricted byway (a right of way to the public on foot, horse, bicycle and non-motorised vehicle) if there were sufficient evidence. She confirms that notwithstanding any of this, a public right of way of any status may co-exist with private vehicular rights. The County Council cannot advise on whether a private landowner would have private vehicular rights over a public right of way, it is for that owner so to prove. It was agreed that the clerk would write to Taylor Vinters referring to the County Council's letter and asking if they wished to respond. The Parish Council is still collecting evidence in its attempt to prove ownership of this land.
- 319 A response was noted from the Executive Director, Development Services of East Cambridgeshire District Council regarding Grovemere Business Park's forthcoming planning application and the County Council's preferred option for **the household waste recycling facility**. He responds that the District Council shares the Parish Council's concerns about this proposal and has made these clear to the County who they have challenged to convince them that such a facility can be built on this site without harm to Witchford or the future of Lancaster Way business park. He confirms that East Cambridgeshire District Council cannot insist on the recycling facility being located on the Lancaster Way extension area as an outcome of any future planning permission. He also states that if Grovemere and the County agreed to this solution, he is sure that it would be acceptable in planning terms but this would be a decision for the County Council.
- 320 A public consultation document from East Cambridgeshire District Council on their new Improvement Plan was noted.
- 321 A letter had been received from the Flagship Housing Group regarding **affordable housing** for local people. They state that they have consulted with a Planning Officer at East Cambridgeshire District Council who responded positively regarding two sites in the village. One is the open piece of land in Main Street opposite 86 Main Street and the other is a site off Barton Close to the west. The Parish Council was of the view that they would strongly object to any development on the site opposite 86 Main Street as development on this land would harm the visual amenity and character of the area as the site is an important gap in the built frontage. The Parish Council instructed the clerk to contact Flagship enquiring which planning officer gave a positive response when discussing this site. She was also instructed to ask that a housing needs survey be conducted in Witchford (at no cost to the Parish). Once this information has been received, and if a need is apparent, then the Parish Council would discuss the possible site off Barton Close.

- 322 A letter from the **Audit** Commission was noted confirming the appointment of Moore Stephens as auditor to Witchford Parish Council. The appointment covers the audit of the accounts for the financial years 2007/2008 to 2011/12.

Report from District Councillors

- 323 Councillor Gareth Wilson reported on the **Ely Masterplan** and explained that there would be a six weeks consultation period from 18th April to 30th May 2008. He gave a report on the planning committee meeting held earlier in the day when an application from Focus to build on the Peck's site in Lisle Lane was deferred. Parish Councillors were concerned that the Ely Masterplan will be incorporated into the planned Local Development Framework and could negate over two years of consultation on this document.
- 324 Councillor Allen reported on consultants who had been employed to prepare the Ely **Masterplan** at a cost of £49,000; he has put in a freedom of information request for the working notes of the groups who discussed this plan prior to its publication in order that he can be assured that it is an independent report. He stated that he was concerned that this plan could unwittingly open the door for the development at Mereham if support by the District Council for 5000 new houses in Ely weakened the case put to the Secretary of State that the A10 would become gridlocked if Mereham went ahead.
- 325 Councillor Allen reported that the new **refuse/recycling** contract has now come into being. He had received reports that some separated recycling had been thrown into the same truck. Plastic bottles should be put into the clear sacks provided with the bottle tops put in the black bags.
- 326 Councillors Jellicoe and Allen had attended a meeting at Shire Hall accompanied by County Councillor Hunt to meet with County Council representatives to discuss the **proposed household waste recycling centre on site 37**. The Parish Council is extremely concerned that two separate groups at the County are working on this project with different timelines. The County is likely in September to apply for planning permission on the site; access is likely to be half way between the roundabout and the entrance to Witchford, virtually opposite the drive to Alderforth Farm. The County Council is working on the existing County Waste Plan (2003). Members were concerned regarding traffic and visual impact if the household waste recycling centre is located on the preferred elevated site as it would be very close to the road. They were also extremely concerned at the fact that the County Council has ignored community involvement. The Parish Council has again requested that other sites be considered and the County Council have arranged a meeting with East Cambridgeshire District Council on 14th April to explore possibilities at Angel Drove and the Lancaster Way Business Park extension, as well as their Property Team exploring a location at the rear of the current preferred site.
- The County Council stated at the meeting that Grunty Fen will be retained for non-reactive hazardous waste and will be one of the areas offered for the 5.1 m tones of London waste. Councillors Jellicoe and Allen reminded the County Council of the weight restrictions applying to vehicles passing through the village. The clerk was instructed to write to the County acknowledging receipt of their notes of the meeting and enclosing Councillors Jellicoe's notes of the same meeting and also to write to the Chief Executive expressing grave concern at the fact that officers of the County Council do not appear to work together; one set of officers attended a public meeting in Witchford giving one view whilst at the same time, others were working on a different timeline.
- 327 The inspection report from Cornhill Allianz on **playgrounds** in the village was noted. One urgent repair had been carried by Councillor Allen on a temporary basis. Wicksteed have been asked to quote for permanent repairs on the Common Road Site. Once these repairs have been carried out, new bark will be ordered.

- 328 Grant applications have been submitted to WREN and East Cambridgeshire District Council for **new play equipment and surfacing** at the Bedwell Hey Lane playpark. The swings will be retained. The likely cost is around £50,000.
- 329 The notes of the meeting of the Woodland Group held on 14th March 2008 were noted.

Councillor Reports

- 330 **Street lights:** all faulty lights have been reported.
- 331 **Play equipment** already reported.
- 332 **Grass Cutting:** The County Council have confirmed that their contribution towards grass cutting in the village for the coming year will be £996.60 which is a 2.5% increase. The clerk will invoice them for this figure.
- 333 **Open spaces:** Gates for replacing the **footpath 1** stiles have now been received from the County Council – collected by Councillors Allen and Jellicoe. Councillor Brand has obtained pipe for the ditch and work on this footpath will be carried out as soon as possible.
- 334 **Community matters:** Councillor Bromley-Allen reported that the pavement on the left hand side of the road from Ely towards Bedwell Hey Lane is in a bad condition and the clerk will report this to the County Council.
- 335 A report had been received by Parish Councillors from a local resident expressing concern that a horse was being kept in a stable behind a house in the village. The District Councillor has asked the East Cambridgeshire District Council Planning Enforcement Officer to check if this is acceptable.
- 336 Councillor Carter reported on his attendance at the last **West Area Neighbourhood** Panel meeting. April. The priorities he put forward at the last meeting were: flytipping, speeding, antisocial behaviour and green-laning. If anyone has any issues they would like him to raise at the next meeting, please contact him directly or through the clerk. The meeting is open to the public and starts at 7.00 p.m. at the Glebe Sutton on 28th April 2008.
- 337 It appears that surveyors have been working in Manor Court Road so it is hoped that some progress may be being made.
- 338 **Wood :** already reported.
- 339 **Youth:** nothing to report.
- 340 **Finance:** It was proposed by Councillor Bromley-Allen seconded by Councillor Colling that the bank reconciliation and the cheques detailed on the cheque schedule be approved.
- 341 Date of Annual General meeting 7th May 2008 in St Andrew's Hall.
Annual Parish Meeting: 16th April 2008

There being no further business, the meeting closed at 9.40 p.m.

Signed: Chairman

Date: