**CHURCH BROUGHTON PARISH COUNCIL**

**PARISH COUNCIL MEETING HELD ON THURSDAY 25TH MAY 2023**

Those present: In attendance:

Councillor Pedley-Chairman Helena Steeples-Clerk

Councillor Redfern

Councillor Speake

Councillor Woodhall

Councillor Thorpe

DCC Councillor Patten

SDDC Councillor Daniel Corbin District Representative

1 parishioner

1 visitor

**16.0 APOLOGIES**

Apologies were received and accepted from Councillor Warriner.

As this was the first meeting after parish councillor elections and only 6 candidates applied to become Parish Councillor, they were duly elected for a term of 4 years.

**ELECTION OF CHAIR**

It was proposed by Councillor Thorpe and seconded by Councillor Speake to elect Councillor Pedley as Chair. Councillor Pedley duly accepted the position.

**ELECTION OF VICE CHAIR**

It was proposed by Councillor Pedley and seconded by Councillor Woodhall to elect Councillor Thorpe as Vice Chair. Councillor Thorpe duly accepted the position.

**ELECTION OF COUNCIILORS TO COMMITTEES**

It was proposed and seconded by all present to elect Councillors to the following committees:

Footpaths/Minor Maintenance Councillor Woodhall

Roads Councillor Speake

Community Hall Management Councillor Pedley

**COMPLETE DECLARATION OF ACCEPTANCE OF OFFICE & REGISTER OF DISCLOSURABLE PECUNIARY INTEREST FORMS**

DECLARATION OF ACCEPTANCE FORMS

All Councillors completed their Declaration of Acceptance Forms. Clerk to ensure Councillor Warriner completes form at the next meeting. ACTION: CLERK

COMPLETE REGISTER OF MEMBERS INTEREST FORMS

All Councillors completed their Register of Members Interest Forms. Councillor Warriner had returned his form prior to the meeting. Clerk to send copies of forms to SDDC as requested. ACTION: CLERK

**17.0 REPORTS FROM DISTRICT & COUNTY COUNCILLORS & POLICE**

DCC Patten reported that sadly Gillian Lemmon died very suddenly on the day of the election. Thus, the election was made null and void. Another election will be held on Thursday 15th June 2023. Dan Corbin, DCC, will support the Hilton Ward until the new election.

Peter Smith had passed on our thoughts and best wishes to Mrs Lemmon’s family. The funeral is to be held on Wednesday 31st May at 12.30 at Markeaton Crematorium.

DCC is promoting “National Smile Month” and encouraging people to visit their local dentist. Children are entitled to free dental treatment.

The highways cabinet member has resigned due to ill health and a new member has been appointed.

Discussion on access to Boggy Lane took place and it was suggested that parish councillors could speak with the Rights of Way Officer.

Concern was raised over the size of lorries on Woodyard Lane.

The official report from DCC Patten to follow.

**18.0 PUBLIC PARTICIPATION**

Mr Smith attended the meeting as a member of the public.

Mr Smith had passed on our thoughts and best wishes to Councillor Lemmon’s family after her sudden death. Councillor Lemmon’s funeral is to be held on Wednesday 1st June at Markeaton Crematorium @ 12.30pm.

Mr Smith suggested the Parish Council look at [https://www.gov.uk/guidance/badgers-protection-surveys-and-licences](about:blank) for guidance of law relating to badger setts and to also speak to Mr Patrick Mountain, the Rights of Way Officer for guidance on access/rights of way for Boggy Lane.

Mrs Jayne Walker stated that Woodyard Lane was not capable of taking lorries and was advised that the temporary access to the new Lidl bottling plant on Woodyard Lane had now been closed and the main entrance to the site would be via Dove Valley Park.

**19.0 OUTSIDE BODIES PARTICIPATION**

None.

**20.0 TO RECEIVE & APPROVE REQUESTS FOR DISPENSATION FROM MEMBERS ON WHICH THEY HAVE A DISCLOSURABLE PECUNIARY INTEREST**

Councillor Redfern declared that he would not be taking part in any vote on planning application DMPA/2023/0175, item number 23.2

Councillor Pedley declared an interest in item 25.10

**21.0 MINUTES OF THE LAST MEETING HELD ON 6/4/23 & ANNUAL PARISH MEETING HELD ON 20/4/23**

It was proposed by Councillor Pedley and seconded by Councillor Thorpe to approve both minutes from meetings held on 6th April 2023 & 20th April 2023.

**22.0 MATTERS ARISING**

**22.1 COMMUNITY PLAN UPDATE**

No update.

**22.2 COMMUNITY HALL**

**TO CONSIDER THE PROPOSED, DRAWINGS & PLANNING APPLICATION FOR MODIFICATION TO THE COMMUNITY HALL PRIOR TO SUBMISSION TO SDDC**

Councillor Pedley presented the proposed plans to Councillors. Councillors resolved that the architect submit the plans to the planning authority on behalf of the Parish Council. This was proposed by Councillor Speake and seconded by all present.

Councillors were advised that this is the first stage, and an invoice will follow shortly.

**22.3 RISK MANAGEMENT**

None

**22.4 LITTER PICK**

Councillors were advised that Mr Hardy is going to organise a litter pick and the Clerk has ordered sacks from SDDC. Clerk to chase order for sacks. ACTION: CLERK

**22.5 MIDLAND CLASSIS BUS – DIVERSION**

Councillor Speake to draft a letter for Clerk to issue. ACTION: COUNCILLOR SPEAKE

**22.6 ASHBOURNE TRANSPORT**

Further to the Parish meeting and a request for additional services Clerk informed Councillors that currently the Community Transport provide a service. Every Friday the bus travels from the village to Ashbourne apart from the last Friday in the month when the bus travels to Burton.

Councillor Pedley to speak to a contact at the Community Transport team to see if any further routes could be added to the existing service. ACTION: COUNCILLOR PEDLEY

**22.7 BOGGY LANE**

Several parishioners have been expressing their views on the access to Boggy Lane and their understanding that there is an unofficial right of way through the wooded area of Boggy Lane. The official footpath in fact runs parallel through the fields to the east of Boggy Lane and not through the wooded area of Boggy Lane. Some parishioners are in favour of a right of way through Boggy Lane and some are against. It is thought that Boggy Lane was once an official road into the village, but this ceased many years ago and rubbish (broken glass etc) was deposited on this land making access dangerous.

Councillor Pedley advised that he had spoken with Mr Prince for information on the recent history of Boggy Lane. The Parish Council had previously tried to get Boggy Lane classified as a Village Green, but this had been unsuccessful. The Clerk had viewed old minutes and sent information to all councillors to update them on what had happened previously.

It is not clear who actually owns Boggy Lane, but it is understood that the landowners either side are likely to have a right to claim to the centre of the lane, and some landowners have not minded or been bothered by informal access by villagers over the years. It is understood that landowners were recently approached and asked for permission to trim branches to allow easier access within the wooded area and some gave permission whilst others did not. A working party subsequently carried out some clearing work within the wooded area. This working party was not part of a Parish Council initiative and landowners have been advised of this. It is noted that there is a large badger sett across the whole width of the wooded area on Boggy Lane and legislation exists to protect badgers and their setts. See [https://www.gov.uk/guidance/badgers-protection-surveys-and-licences](about:blank). Therefore, there is a risk that clearing of overgrown branches adjacent to the setts to achieve a clear route through could breach the legislation with potentially serious implications for individuals.

In an email to Councillors dated 23rd May 2023, Councillor Warriner advised that to achieve a classification of Footpath, a Map Modification Order (MMO) request needs to be filed with DCC with supporting evidence including maps and any individual evidence that there has been regular use over the past 20 years.

It was also noted that an application for a Bridleway has previously been submitted but no official notification has been issued to the Parish Council.

Councillors discussed Boggy Lane and it was agreed that the Parish Council would not get involved with or support a MMO request but that would not stop any Parishioner or group of Parishioners from doing so themselves. It was also agreed that the Parish Council would issue a village email for clarification purposes, advising the following “The Parish Council would like to confirm that it had no involvement whatsoever with the recent clearing of trees and branches within the wooded area of Boggy Lane between Church Broughton and Heath Top.   An important consideration here is the existence of long-established badger setts, which are protected by UK government legislation.

As most people are aware, there is a formal designated public footpath which runs through the fields to the east of, and parallel to Boggy Lane.  Formal guidance has again been sought from DCC on the wooded area of Boggy Lane, specifically as to whether any rights exist under common law for public access, as this appears to remain a disputed point.

The Parish Council would like to remind anyone who chooses to enter the wooded area to do so at their own risk and be particularly conscious of the legislation relating to badger protection which can be found via this link:

[https://www.gov.uk/guidance/badgers-protection-surveys-and-licences](about:blank)”

Councillors to discuss the item at the next meeting when further enquiries have been undertaken.

**22.8 READING ROOM LAND – HAS ANY WORK BEEN UNDERTAKEN SINCE THE LAST MEETING**

Councillor Woodhall confirmed that several hours work had been undertaken on the land on 23rd May 2023.

**23.0 PLANNING APPLICATIONS**

**23.1 DMPA/2023/0338 -CONVERSION OF EXISTING AGRICULTURAL BARN TO DWELLING AND INSTALLATION OF SEPTIC TANK AT LODGE HILL FARM UNNAMED ROAD LEADING FROM LONGFORD LANE TO BARTON HALL, CHURCH BROUGHTON, DERBY DE65 5AL.**

No objections.

**23.2 DMPA/2023/0175 – CHANGE OF USE AND ERECTION OF 7 GLAMPING LODGES WITH ASSOCIATED LANDSCAPING, CAR PARKING AND ACCESS AT BROOKFIELDS FARM, SCHOOLPIECE LANE, CHURCH BROUGHTON, DE65 5DH**

The following response to be issued: “The Parish Council (PC) has no objections to the above planning application as it would appear to meet relevant Planning Policies, noting that the PC does not have sight of the relevant business case which is required by Planning Policy.

Please note however that the PC is very concerned that the market for this type of accommodation is becoming saturated, and there will be more planning applications triggered as additional similar applications are granted. Whilst these buildings and their installations are “reversible” if the business is unsuccessful, there is a significant amount of well-established holiday accommodation in the area which is not reversible and which has already experienced a significant reduction in demand. The PC therefore believes that the Local Planning Authority will see applications for change of use of existing non “reversible” holiday accommodation to residential use, which may not be supported. The PC would therefore recommend that SDDC carry out a broad independent market assessment to thoroughly test whether the business cases for this and other similar applications are likely to be met.”

**23.3 PRIOR NOTIFICATION FOR AGRICULTURAL DEVELOPMENT ON LAND AT LITTLE MEADOW FARM, LITTLE MEADOW WAY, CHURCH BROUGHTON**

No objections.

**24.0 REPORTS**

**24.1 ROADS**

Councillor Speake to undertake a review of roads in parish. It was noted that the condition of Tippers Lane is not very good but there are worse roads in the parish.

ACTION: COUNCILLOR SPEAKE

**24.2 MINOR MAINTENANCE/FOOTPATHS**

The footpath which is beside the copse at Barton Hall is overgrown. Councillor Woodhall will try and speak with the new owners. ACTION: COUNCILLOR WOODHALL

**25.0 FINANCE**

**25.1 FINANCE REPORT**

A finance report as at 1st May 2023 was circulated.

**25.2 CLERKS SALARY LESS TAX MARCH & APRIL £371.20**

It was proposed by Councillor Speake and seconded by Councillor Thorpe to pay the clerk. Cheque serial number 001359 issued.

**25.3 D WALLIS LENGTHSMAN MARCH & APRIL £127.56**

It was proposed by Councillor Thorpe and seconded by Councillor Speake to pay Mr Wallis. Cheque serial number 001360 issued.

**25.4 B RUDGE LENGTHSMAN MARCH & APRIL £42.96**

It was proposed by Councillor Thorpe and seconded by Councillor Speake to pay Mr Rudge. Cheque serial number 001361 issued.

**25.5 HMRC £124.60**

It was proposed by Councillor Speake and seconded by Councillor Thorpe to pay HMRC. Cheque serial number 001362 issued.

**25.6 F WOOD INTERNAL AUDITOR (EAST MIDLANDS AUDIT SERVICES) £61.50**

It was proposed by Councillor Thorpe and seconded by Councillor Speake to pay Mr Wood. Cheque serial number 001363 issued.

**25.7 DESIGN WALL LTD, NOTICEBOARD £240.00**

It was proposed by Councillor Speake and seconded by Councillor Thorpe to pay Design Wall Ltd for the sign for the Community Hall. Cheque serial number 001365 issued.

**25.8 FINCH IT SOLUTIONS LTD £164.39**

It was proposed by Councillor Thorpe and seconded by Councillor Speake to pay Finch IT Solutions. Cheque serial number 001364 issued.

**25.9 VH&PFC MARQUE HIRE £60.00**

Clerk confirmed that £500 had been received from DCC Patton’s Community Fund to help with Coronation celebrations.

It was proposed by Councillor Speake and seconded by Councillor Thorpe to pay VHPFC for the hire of marques used for the Coronation Party. Cheque serial number 001366 issued.

**25.10 DONATION TO NEWMOUNT BRASS BAND FOR CORONATION PARTY**

Councillor Pedley declared an interest.

Newmount Brass Band had kindly played for the coronation party. After discussion it was agreed to donate £125.00 to Newmount Brass Band. ACTION: CLERK TO PLACE AN AGENDA ITEM FOR NEXT MEETING

**25.11 TREE PLANTING TO CELEBRATE THE CORONATION**

It had been suggested that the Parish Council plant a tree to celebration the Coronation. Councillors to consider where to plant and report at the next meeting.

It was also suggested a bench may be bought. Councillors to consider and report at the next meeting. ACTION: ALL COUNCILLORS

**25.12 APPROVE ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN 2022-2023**

Clerk presented the Annual Governance & Accountability Return 2022-2023 which had been prepared and completed during audit. Councillors approved all documents, and these were signed by the Chair and the Clerk. Clerk to submit document to PKF Littlejohn and place notification for the exercise of public rights by 5th June 2023. ACTION: CLERK AND CHAIR

**25.13 APPROVE TO TRANSFER £5899.50 TO SAVINGS AS EXCESS INCOME OVER EXPENDITURE ON COMMUNITY HALL**

Councillor Pedley advised that the excess income over expenditure for the previous financial year was £5899.50. It was approved that the Clerk prepare a letter of transfer for the bank. ACTION: CLERK

**26.0 CORRESPONDENCE**

None.

**27.0 POLICIES**

Clerk to prepare for next meeting.

**28.0 CHAIRMANS NOTICES**

None.

**29.0 COUNCILLOR TRAINING**

Councillor Pedley suggested Councillors view what training DALC are offering and contact Clerk. ACTION: ALL

**30.0 DATE & TIME OF NEXT MEETING**

Thursday 6th July 2023 at 7pm.

**31.0 MEETING CLOSED**

8.45pm