

BROUGHTON PARISH COUNCIL

Minutes of the Meeting of the Parish Council, held at Broughton Village Hall on Wednesday, 17 July 2013, commencing at 7.00pm.

Present: Cllr. Mrs. MC Rust (in the Chair).
Cllrs. R Baxter, Mrs. HJ Bull, Mrs. JC Chester, Mrs. PA Cope, P Gordon, DJ Perkins, Mrs. P Roke, R Shrive, Mrs. C Taylor, and Clerk to the Parish Council, Mr GA Duthie.
Borough Councillor J Hakewill.
Four members of the public.

13/6893 **APOLOGIES.** Apologies for absence were tendered by:
County Cllr. C Groome

13/6894 **DECLARATIONS OF INTEREST.** None were made.

13/6895 **MINUTES.** The draft minutes of the Parish Council meeting held on 19 June 2013, copies having been circulated, were approved by members and authorised for signature by the Chair after three minor typographical errors were corrected and after it was noted that Minute 13/6884 should reflect the supporting statement had been settled upon.

13/6896 **RIGHT TO SPEAK.** The meeting heard from a member of the public who described that she was one of a number of local horse riders in the village. Councillors were informed that, increasingly, other road users were not acting considerately when in proximity to ridden horses and, in particular, hand signals asking drivers to slow down were being ignored. The problem was especially prevalent in Kettering Road and Gate Lane. Posters publicising the issue were provided and it was agreed these should be displayed given the obvious risks to safety.

Local resident, Mr B Scouse, then addressed members; asking whether any progress had been made in connection with a parish council website to help fill the gap left by the closure of the 'Broughton Village' site. Mr Scouse was informed that a PC site was in the process of being devised, and an initial skeleton of this was now on-line and would be developed. A report would be considered later this meeting.

13/6897 **REPORTS OF COUNTY AND BOROUGH COUNCILLORS.** Those present heard Borough Cllr. J Hakewill advise that the planning application for the site off Glebe Avenue would likely be reported to the 30 July meeting of the Borough Council's Planning Committee. Cllr. Hakewill also confirmed he had seen the recent exchanges of correspondence concerning the Redrow scheme proposed for Cransley Hill, and believed that when Broughton was mentioned now, the planners were listening.

(Cllr. Hakewill left the meeting at 7:35pm)

The meeting then noted that, as County Cllr. C Groome could not be in attendance, his report had been circulated by email. This included business arising from the first ordinary County Council meeting since the May election, information concerning flood defence work, school 'study' and 'reading' leave practices, the move of

promoting public health and wellbeing from the NHS to Counties, and changes in rural policing. The Chair then advised that this report had been supplemented by additional information telephoned through to her by County Cllr. Groome, including an update on the Highcroft Farm proposal in the current traveller provision consultation (and where an apology had now been offered by the authorities involved in connection with the upset suffered by the occupiers due to lack of prior notification), and the re-emergence of proposals to dual the A43 (with certain preparatory works at Round Spinney having been agreed).

13/6898

MATTERS ARISING. Arising from 13/6884 (and supplementing the report of County Cllr. Groome, mentioned above), the meeting noted that further dialogue had occurred with the County Council at officer and member levels, with it being learned that the re-emergence of proposals for the dualling of the A43 meant that the County would likely be responding to the traveller provision consultation in terms indicating Highcroft Farm would not be available for acquisition, given its importance to the future road scheme.

Arising from 13/6875, members heard that an update had been received from the case-officer in connection with progress being made toward determination of the planning application proposing 67 dwellings off Glebe Avenue. This had been circulated by email, but included information on matters including five-year housing land supply (verification occurring), layout revisions, building orientations, open space revisions, boundary treatments, drainage clarification, flood risk assessment, habitats, planning obligations, and archaeology. Members then noted that the five-year housing land supply issue had been mentioned also at the recent Rural Forum meeting, when the Head of Development Control had confirmed the five-year supply target had been met.

Arising from 13/6890, councillors heard that Cllr. Perkins had suggested a ‘mission statement’ be included on the home page for the new website and had suggested the wording:

‘Serving our Community, Preserving our Heritage, Protecting our Environment, Shaping our Future’

After some debate, the majority view was that a mission statement as such was not necessary, and would require further consideration before adoption in any event, but it was certainly desirable to include a link on the home page to information about the functions and powers of the parish council. Such information had been set out in a recent edition of Broughton News and it was agreed this should be used for this purpose; Cllr. Shrive to forward the same to Cllr. Perkins.

Arising from the same minute, the meeting heard that the new website was now live and populated with the initial essential information such as councillors’ details etc. Further material would be incrementally added as time allowed and as became available. The site was not yet discoverable by searching however. Members expressed their thanks to Cllr. Perkins and to local resident Mr. Carl Sharman for the work they had undertaken to advance the project so swiftly.

13/6899

CORRESPONDENCE. The following items of correspondence were reported and action, as detailed, was agreed to be taken, with other general items being placed on circulation:-

- a) A letter received from Mrs. Janice Turiccki (nee Chapman) of Glebe Avenue, providing historical information about the strong connection between the Chapman family and Broughton village over more than 180 years, and suggesting that if additional development is to occur in the village, the family name should be recognised in any street naming proposals that result. Members acknowledged the family had been represented in Broughton over many generations and accordingly the request was worthy of consideration for the purpose suggested.
- b) Material received from the County Council concerning adult education, including the latest edition of the Adult Learning Brochure, which was placed on circulation.
- c) Notification from Cllr. Shrive that he had received representations indicating the bus shelter at 18 High Street was presently suffering from defective guttering, resulting in users getting wet. As the Borough Council apparently had no operatives available currently who were able to use ladders, a local tradesman had kindly removed debris from the gutter so that the same now functioned again. In case further, more involved, maintenance was indicated, Cllr. Baxter agreed to ask local builder, Mr J Nicholls, to inspect and attend to any minor repairs needed.
- d) Copy exchanges by initial letter and subsequent email between a local resident and the Clerk concerning representations the resident felt should be made by the Parish Council on the traveller provision consultation. Members noted the Clerk had offered advice on the law relating to the public sector equalities duty and the need to avoid discrimination based upon negative stereotyping but this had been ill received.

13/6900**REPORTS OF MEMBERS ATTENDING MEETINGS OF OTHER BODIES.**

The Chair reported upon the meeting of the Village Hall Committee held on 9 July 2013. Business at the committee meeting included confirmation that football bookings were steady, with 5 teams now being regular users, health and safety documentation had been updated and was being consulted upon, a Touring Arts event was scheduled for 27 September, the Village Show was on course, the hall website was still being worked on to lessen the administration needed, and quotes were being obtained for supplementary heaters and for refurbishment of the Meachem Room. Councillors also noted that the Village Hall Committee would like to be involved in any negotiations that occur relating to Section 106 contributions arising from development proposals intended to be applied to hall or playing field facilities or improvements. Minutes of the 11 June meeting were circulated.

The Chair then reported upon a meeting held with County Council highway representatives on 11 July. The proposed island at Cransley Hill/High Street had been discussed, with it being agreed this would impact on parking availability. Instead, revisions to the existing kerb-line were preferred that would result in extra spaces.

Revisions to the Co-op layby had been designed and costed, as had new interactive speed signage for the Silver Street junction area. These improvements, and the Cox's Lane junction improvements were to be funded from the Cransley Hill contributions.

A new island for the Wellingborough Road junction had been discounted due to space constraints, so traffic calming measures were under consideration, as were revisions to improve safety near St Andrew's Way. These projects would be funded from any S106 contributions arising from the Glebe Avenue scheme, if approved.

Cllr. Mrs. Bull then reported upon the meeting of the Rural Forum on 27 June. Members heard this had considered the slippage with the Site Specific policies timetable whilst the Rushden lakes public inquiry occurred, issues with the traveller provision consultation, rural policing (increase in reports of burglary), problems with the Neighbourhood Watch scheme, and issues with the '101' reporting service. A presentation on street lighting had been received (including that all County owned lamps were being renewed), and confirmation that the major East Kettering development was due to commence during autumn 2013. Housing land supply had been discussed; especially the linkage between this and the site specific policies timetable. Training for parishes was to be offered on Neighbourhood Planning and village boundaries. Cllr. Mrs. Bull described the meeting as being long and quite difficult at times.

Cllr. Mrs. Bull then reported upon the Best Village presentation event on 16 July. Broughton had not been successful in its entry but the event had proved informative; not least in affording new contacts for potential assistance with the pocket park through 'Groundwork'. It was agreed to invite representatives to the October meeting of the Parish Council.

Cllr. Gordon the reported he had attended an event at Wicksteed's Park to mark the launch of an improvements programme at the park, including a lake refurbishment and the unveiling of a 10 year plan involving lottery fund assistance.

Cllr. Mrs. Bull reported upon the first meeting of the Neighbourhood Plan group. Ten immediate topic areas had been identified and it had been established that a wider group needed to be formed to explain these and ascertain the level of engagement. It had been agreed the NALC model afforded the best framework and that there were many commonalities with Rothwell so steps were being taken to make contact in order to share experience. The group had identified the importance of the Conservation Area proposal so asked that this be progress chased.

The public event in the village to raise awareness on the traveller provision consultation was mentioned; with the meeting noting this seemed to have been well-received.

13/6901

POLICE REPORT. No officers were in attendance but members shared information concerning matters recently arising, including an attempted break-in in High Street, intruders in the private rear garden of another property in High Street, and issues with car-based antisocial behaviour in the High Street at night. Members also noted that the local police surgeries being held in the Co-op were being well supported.

13/6902**DEVELOPMENT CONTROL.****Planning Applications submitted for the Parish Council's observations:-**

None reported.

Planning Decisions notified:-

None reported.

Update on KET/2012/0709 (Cransley Hill) – S106 obligations and extension of time for completion:-

Members heard that following receipt of the copy decision notice confirming the grant of planning permission, and sight of the Section 106 agreement, further exchanges of correspondence around the administration and timing of these processes had occurred without the planning authority conceding there were any legal irregularities in evidence. Consequently, and in accordance with the authority provided at minute 13/6877, instructions had been placed with Mr. Cain Ormondroyd of Counsel, a barrister at law practicing with chambers at Francis Taylor Building in London, a leading local government and planning set, to advise upon the merits and prospects of seeking a judicial review in the matter. Assuming such advice was favourable, Mr Ormondroyd had also been asked to settle the grounds upon which the application should be based and to advise upon how best a protected costs order might be sought and secured given the relative resources available to the prospective parties. Councillors had been circulated with the Instructions as placed, and agreed that, when Counsel's advice was received, a special meeting should be called for this to be considered.

13/6903**FINANCE.** The following items of income and expenditure were noted/agreed:-

Income			£
Barclays Bank PLC	Interest on deposit account		1.03
Expenditure			£
Barclays Bank PLC	Commission	(direct debit)	6.00
Barclays Bank PLC	Storage fee	(direct debit)	1.00
Broughton PF&VHA	Room hire fees	(100560)	61.20
GA Duthie	Salary and WP – incl Aug	(101561)	500.66
HMRC	Income tax	(101562)	282.40
GA Duthie	Electricity	(101563)	2.82

13/6904**GENERAL INTEREST ITEMS.** It was reported that a hazardous pothole had opened in the A43/Kettering Road approach to the village.

In respect of the Planning Committee meeting on 30 July, assuming the Glebe Avenue housing application was to be reported there, it was agreed the Chair would attend and speak for the Parish Council; Cllr. Mrs. Bull to prepare a draft speech based upon the objections already notified.

Cllr. Gordon raised the condition of the road surface on the A14 slip road approaching the A43 roundabout.

Cllr. Mrs. Taylor mentioned the weed-growth affecting the High Street recreation ground wall and it was confirmed this had been sprayed.

It was mentioned that the Kettering Road and Wellingborough Road flower boxes were looking pleasant. Thanks extended to those volunteers involved.

Cllr. Mrs. Bull reported that a house in Kerley Close was starting to look quite unkempt.

13/6905 **DATE OF NEXT MEETING.** It was reported that the next scheduled meeting of the Parish Council would be on Wednesday 18 September 2013, at 7:00pm in the Village Hall.

13/6906 **URGENT ITEMS ADMITTED BY THE CHAIR.** None were raised.

The meeting was then closed

18 September 2013

Signed.....

BROUGHTON PARISH COUNCIL

Minutes of the Special Meeting of the Parish Council, held at Broughton Village Hall on Wednesday, 31 July 2013, commencing at 7.00pm.

Present: Cllr. Mrs. MC Rust (in the Chair).
Cllrs. R Baxter, Mrs. HJ Bull, Mrs. JC Chester, P Gordon, Mrs. P Roke, R Shrive,
and Clerk to the Parish Council, Mr GA Duthie.

Two members of the public

13/6907 **APOLOGIES.** Apologies for absence were tendered by (and accepted for the reasons noted):

Cllr. D Perkins (away)

Cllr. PA Cope (away)

Cllr. C Taylor (childcare issue)

13/6908 **DECLARATIONS OF INTEREST.** None were made.

13/6909 **DEVELOPMENT CONTROL – UPDATE ON KET/2012/0709 (LAND OFF CRANSLEY HILL, OUTLINE SCHEME FOR UP TO 65 DWELLINGS BY REDROW HOMES).** Those present heard it explained that, despite lengthy and detailed exchanges of correspondence passing between the Parish Council and Kettering Borough Council as to the lawfulness of any planning permission granted in reliance upon a Section 106 Planning Obligation entered into after 11 April 2013, following the believed unlawful extension of that deadline resolved by the Borough Council on 9 April 2013 without giving adequate public notice or without the Chair having considered special circumstances giving rise to urgency, the permission had now issued on 17 June 2013. The decision notice had been back-dated to 10 June, which appeared to be the date when the Planning Obligation had been completed. Accordingly, Counsel's advice on the merits and prospects of Judicial Review being successfully sought to challenge this consent had been commissioned. This advice, provided by Mr. Cain Ormondroyd, of Francis Taylor Building, was now to hand and any proceedings would need to be commenced promptly, and in any event before the expiry of three months from the issue of the decision. Questions concerning the facts behind the events described in this update were dealt with and councillors noted that all relevant documentation, including correspondence and Instructions to Counsel, had been circulated to them.

13/6910 **EXCLUSION OF PUBLIC.** In accordance with the provisions of Schedule 12A of the Local Government Act 1972, Cllr. Mrs. Bull proposed and Cllr. Gordon seconded that the press and public be excluded from the remainder of the meeting on the grounds that exempt information in the form of privileged legal advice tendered to the Parish Council was likely to be disclosed. This exclusion was duly **RESOLVED** unanimously and the two members of the public present did withdraw from the meeting.

13/6911

POTENTIAL CLAIM FOR JUDICIAL REVIEW - KET/2012/0709 (LAND OFF CRANSLEY HILL, OUTLINE SCHEME FOR UP TO 65 DWELLINGS BY REDROW HOMES); PLANNING PERMISSION BEARING DATE 10 JUNE 2013. Members having been apprised of the current position and having been updated by the Clerk as to most recent developments, and having also been provided with copies of the Instructions to Mr Ormondroyd of Counsel and of his resulting Advice, debated the merits and potential consequences of bringing a claim seeking a Judicial Review of this planning permission.

Members noted especially Counsel's advice on costs protection, including that if protection was granted by the Court, exposure was likely to be capped at £10,000 in aggregate to any other parties, but also that costs protection should be sought to be decided as a preliminary point given the relative financial inequalities.

After some debate, and after questions were dealt with in some detail including as to the process and costs of commencing the claim, it was unanimously **RESOLVED** to make application to the Court under Part 54 of the Civil Procedure Rules to seek to have planning permission KET/2012/0709 quashed on grounds of the unlawful processes flagged and notified to the Borough Council in relevant correspondence subject to the proviso that the claim be immediately discontinued in the event the Court grants permission for the Judicial Review but declines to award costs protection.

13/6912

DATE OF NEXT MEETING. It was reported that the next meeting of the Parish Council would be on Wednesday 18 September 2013, at 7:00pm in the Village Hall.

13/6913

URGENT ITEMS ADMITTED BY THE CHAIR. None were raised.

The meeting was closed at 7:35pm

18 September 2013

Signed.....