West Bradford Parish Council

Clerk: Andrew Glover 24 Hillside Drive Clitheroe Lancs BB7 4TG

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Minutes of the meeting of West Bradford Parish Council held on Wednesday 27 March 2024 at West Bradford Village Hall

Members present:	Parish Cllr A Bristol (Chair)
	Parish Cllr R Chew (Vice Chair)
	Parish Cllr H Best
	Parish Cllr M Fox
	Parish Cllr R Marsden
	Cllr K Horkin MBE (RVBC)
Apologies:	None
Clerk present:	Andrew Glover
County Cllr present:	None
Members of the public / other	D Shackleton (for minute item 9Cc)
persons present:	J Evans (for minute item 9Cc)

1.	Declarations of Pecuniary, Other Registrable and Non-Registrable Interests	
	None	
2.	Minutes / Matters Arising	
a)	Minutes of the last meeting (28 February 2024):	
	The minutes of the meeting held on 28 February 2024 were to be signed by the Chair as a true and accurate record.	
	Proposed by: Cllr R Chew	
	Seconded by: Cllr R Marsden	
	Resolved The signed minutes of the meeting held on 28 February 2024 would be posted on the Parish Council website	Clerk
2		

b)	Matters arising:	
i)	<u>Voucher for Maureen Pickup – legal work carried out on the Pinfold / voluntary</u> registration of title	
	Clir Chew had acquired the Higher Buck voucher for £100, and this had been conveyed by Clir Best to Maureen along with a letter of thanks from the Parish Council. The Clerk had subsequently received a letter from Maureen thanking members for the voucher, a copy of which was presented to members for their information.	,
ii)	Free portrait of King Charles III	
	It had been agreed that the Parish Council would order the free portrait of His Majesty the King offered free of charge by the government to all parish councils in the United Kingdom. The order for the portrait had been placed and delivery was anticipated in March / April 2024.	
iii)	Bowland Gate Lane	
	The Clerk had taken photographs of the surface damage at both the northern and southern ends of Bowland Gate Lane and submitted these to Lancashire County Council.	
iv)	Local Electric Vehicle Infrastructure (LEVI)	
2	As requested, an approach for further information on the nature and extent of, and timing for, LEVI funding had been made to Ribble Valley BC. This approach had been made in conjunction with the proposed establishment of a car park to serve the Hub on Grindleton Rd. Officers at RVBC had subsequently suggested that further information should be sought from Lancashire County Council's Principal Transport Planner, and – in addition – further guidance on funding applications may appear on the website of the Action with Communities in Rural England over the summer months.	
3.	Public questions, comments or representations:	
	See minute item 9Cc below.	
4.	Update from Ward Councillor present:	
	Cllr Horkin had no matters to report, with Borough Council business being largely quiet prior to the Easter recess.	
5.	Bradford Bridge	
	No update	
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6.	Haweswater Aqueduct Resilience Programme (HARP)
a)	Update – planning application 3/2021/0661
	None
7.	Overview of financial position:
a)	Monthly accounts – February 2024
	The Clerk submitted details of income and expenditure for the month of February 2024 for approval by the Parish Council and signing-off by the Chair.
	Resolved That the record for February 2024 as presented would be signed off
b)	Budget 2023/24
	The Clerk presented a copy of the budget for Q4 2023/24. The main points arising were:
	 income was at c£1600 in excess of budget, primarily due to County Council grants of £800 for Public Rights of Way / biodiversity and a high level of concurrent functions grant from RVBC;
	 spend on the Lengthsman had this year fallen to 50% of the budget estimate (£800 versus £1,600);
	 the Clerk's salary had come in under the estimated budget by £29, and HMRC payments were only in slightly (£22) in excess of budget estimates; and
	 expenditure on garden maintenance had been high, with spend to date of £1,072 against a budget of £525. Some unexpected spend had also occurred (eg on purchasing the stone plaque for the Coronation Gardens and also work undertaken on establishing the legal title to the Pinfold).
	Assets at the end of Q4 were in the region of £6,800, as opposed to just over £5,000 at the start of the financial year.
	Members noted that a new draft budget for 2024/25 would be presented at the AGM.
	Resolved Members approved the budget monitoring report for Q4 2023/24, and signed off the annual budget at year-end
c)	Fees for grass cutting 2023/24
	At the February meeting, members had noted that the 2023/24 cutting had already been carried out, and concluded that they had no option other than to (i) pay the sum owed to RVBC in full and (i) retain the existing schedule for grass cutting during 2024/25. To do otherwise may have negative implications for partner organisations such as the Village Hall Management Committee, and would not necessarily have resulted in a substantial reduction in cost.

d)	As a result, the Clerk had submitted a cheque to RVBC in settlement of the sum of £1,156.47, and had written to advise officers of the Parish Council's decision. The Clerk had also sought clarification of any intended uplift in fees for grass cutting during 2024/25, but none had yet been received. Resolved Cllr Horkin to establish the level of uplift in fees for borough council services to be applied in 2024/25 Clerk's salary Members were asked to note that – in line with his contract of employment – the Clerk's salary would rise by an increment from 1 April 2024. The Clerk was currently paid at SCP 18 (£15.21) on the NALC scale; this would rise to £15.48 per hour at SCP 19, an hourly increase of 27p.	КН
	Resolved Members agreed that the Clerk should be paid at SCP 19 from 1 April 2024	
8.	Governance	
a)	Information Commissioner – payment of annual fee	
	Organisations that process personal data are subject to the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Under the Data Protection (Charges and Information) Regulations 2018, they must also pay an annual data protection fee, unless they are exempt. In accordance with the above, the Clerk reported that the Parish Council had now submitted its payment of the annual fee of £40, and email confirmation or receipt of payment had been received.	
b)	External audit 2023/24	
	The Clerk had recently received information from the external auditors (PKF Littlejohn) setting out the procedure for the external audit for 2023/24. In light of this procedure, members were asked to consider the following matters:	
i)	Timescales / deadlines to be met	
	The Clerk had drafted a timetable of actions to ensure that all necessary deadlines imposed by the external auditor were met.	
	Members noted that, under the proposed timetable, they would be required to sign off a considerable amount of formal paperwork at both the May and June meetings of the Parish Council.	
	Resolved Members approved the draft timetable presented by the Clerk	

ii)	Internal auditor	
	The Clerk had now made contact with the Parish Council's internal auditor, Sally Blenkinship, who had agreed that she would be available to produce the internal reporter's report in the week commencing 22 April 2024 (in line with the above proposed timetable).	
iii)	Certificate of Exemption	
2	In previous years, the Parish Council had tended to submit a Certificate of Exemption, thereby foregoing the need to undergo a full audit and avoiding payment of the audit fee (£210 + VAT).	
	Authorities wishing to claim exemption from a limited assurance review for 2023/24 were obliged to meet the following criteria as set out in section 9 of the Local Audit (Smaller Authorities) Regulations 2015:	
	 both total gross income and total gross expenditure must be below £25k; 	
	 and no public interest report/statutory recommendation/advisory notice/judicial review/application to court re unlawful item of account issued by its external auditor for the 2022/23 year; and the relevant financial year is not one of the first three years of the authority's existence, hence if claiming exemption for 2023/24 that means the authority must have been in existence since at least 1 April 2020. 	
	Resolved	
	Resolved	
	Members agreed that the Parish Council should submit a certificate of exemption to the external auditors for the period 2023/24 Clerk to prepare a draft certificate for signing off at the May meeting	Clerk
9.	Members agreed that the Parish Council should submit a certificate of exemption to the external auditors for the period 2023/24	Clerk
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 C) List of contested applications The Clerk continued to compile a list of contested applications and submit this to members on a regular basis for their consideration. The purpose of this exercise was to assist members in keeping track of these applications, and to provide more Elarity around the subsequent determinations made by RVBC / Planning Inspectorate. An updated version of the document was presented for members' consideration. The Clerk advised members on the outcome of several recent applications considered by the Partish Council: a) Planning Application No: 3/2023/0976 Proposal: Proposed raising of garage roof to create detached first-floor residential annexe. Location: Lynnwood, Clitheroe Road, West Bradford BB7 4ST This application No: 3/2024/0028 Proposal: Change of use of domestic garage and store to two-bedroom holiday accommodation. Location: Seedalls Farmhouse, Eaves Hall Lane, West Bradford, Clitheroe BB7 3JG This application No: 3/2024/0028 Proposal: Construction of single-storey kennel building to accommodate overnight boarding of an aximum of eight dogs, including office space, kitchen and toilet. Location: Eaves Hall Farm, Moor Lane, West Bradford BB7 3JG This application No: 3/2024/0011 Proposal: Construction of single-storey kennel building to accommodate overnight boarding of a maximum of eight dogs, including office space, kitchen and toilet. Location: Eaves Hall Farm, Moor Lane, West Bradford BB7 3JG This application had been approved by RVBC and a number of conditions imposed. However, the meeting was attended by two members of the public who, in light of this decision, wished to express their concern at the process followed by the Local Planning Authority in determining this application. (In addition, another reside			
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	i)	RVBC's failure to follow its Scheme of Delegation	

Planning and Development Committee of RVBC, rather than *in camera* by its officers. Under the Borough Council's own Scheme of Delegation, the determination of planning applications could be delegated to the Director of Economic Development and Planning where "fewer than 10 objections from separate addresses" had been received by the date of the consultation closure. In this case, it was commented that:

up to 9 objections were displayed on the Borough Council's website, along with a letter of objection from the Parish Council and an additional letter (although it was acknowledged that the content of the latter was more along the lines of a comment than an objection). If so, it was possible that 10 valid letters of objection had been received, and the matter therefore should not have been subject to officer determination but placed before members of the Planning and Development Committee for their consideration. (NB – it was understood that, according to RVBC's Director of Planning, only 7 valid letters of objection were displayed on the Borough Council website);

Resolved

Clerk to examine the Borough Council website and seek to establish the number of valid letters of objection displayed

Clerk

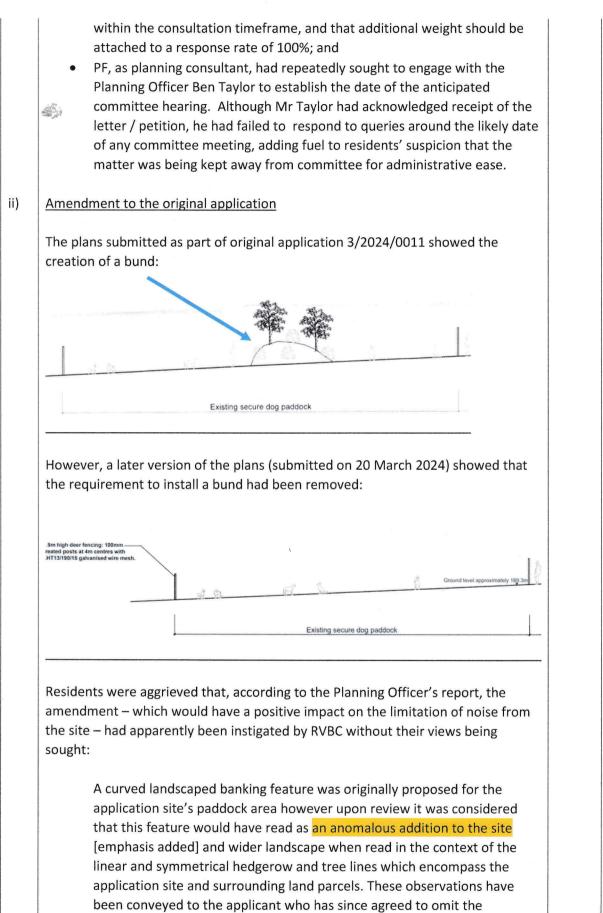
the residents living in the vicinity of the development site had collectively commissioned the professional services of a Planning Consultant (PF) to represent them in this matter. PF had compiled a letter from 11 affected households, containing the names and addresses but not their signatures. It was possible that some of these 11 had also submitted individual letters of objection to RVBC. However, even if only 3 or 4 of these 11 named objectors were in addition to those submitting individual letters, then the threshold of 10 objections from separate addresses would have been reached. However, it was claimed that RVBC had discounted the objections raised by the 11 households named in the letter, on the grounds that (i) a member of each household had not individually signed the letter (even though the Scheme of Delegation makes no reference to letters needing to be signed, simply that they emanate from "separate addresses") and (ii) the letter had instead been classed as a "petition".

Resolved

Clerk to seek to establish what rules apply to the submission of a petition Clerk and its status with regard to planning applications

Further related points included:

 the residents commented that only 7 letters advising residents of the application had been distributed to households in the vicinity. (RVBC's website lists only 4 properties as being officially advised). The residents placed considerable emphasis on the fact that all 7 had responded to RVBC



landscape feature from the proposed development.

lii)	Noise assessmen	t
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Whilst a professional noise assessment had been submitted, it was understood that this had been compiled prior to the removal of the bund from the application. As such, it was considered that the noise assessment was now obsolete and should be repeated with the revised site layout borne in mind.

The residents' concern was compounded by the lack of published comment from Borough Council's Environmental Health Service. Given the obvious noise concerns, and the submission of a professional noise assessment, it was considered that a formal and published response from EHOs should have been forthcoming. The actions highlighted in the Planning Officer's report – that the Environmental Health Service had carried out a "technical review" and asked for further information (duly provided) by the applicant – were insufficient in the circumstances.

iv) <u>Sundry concerns</u>:

A range of other points were put forward:

- insufficient emphasis had been placed on the importance of preserving (i) local wildlife (nesting birds prevalent in the area – curlew and lapwing – would be severely impacted by barking dogs) and (ii) the integrity of the AONB /National Landscape;
- the applicant had already shown a disregard for existing planning conditions. Examples included:
 - condition 3 of planning consent 3/2010/0845 stated that "All dogs using the day care services shall arrive by vehicles associated with the business on a pick-up basis. For the avoidance of doubt no dogs shall be accepted from customers whose dogs arrive by private motorvehicle whether on a customer drop-off or appointment basis", whereas in fact customers did on occasion drop off their own dogs at the premises;

 condition 4 of planning consent 3/2019/0845 stipulated that "No more than 12 dogs associated with the business hereby approved shall be on site at any one time whether kept outdoors or indoors", whereas the residents were adamant that on occasion over 20 dogs were present on site; and

 a residential caravan had been positioned on site for many months, even though no planning consent for its use had been granted. (The Parish Council had raised this matter with RVBC Planning Enforcement on 5 August 2021, although no action was subsequently believed to have been taken).

cont

	red to alert RVBC Planning Enforcement Officers to the above alleged eventions	Clerk
<i></i>	RVBC was operating under the misapprehension that dog kennelling was inherently consistent with a rural environment, whereas the applicant was essentially seeking to expand a commercial activity which had no direct connection to the countryside. It was believed that the applicant had sought to incrementally broaden the nature of this business over several years, with the ultimate end-goal of seeking residential occupancy. Such a move would be opposed by the residents and Parish Council were it come about.	
the ha counci and De counci	, the Parish Council reflected on what lessons may be learned with regard to ndling of future contentious applications. It was noted that the ward illor could ask for an application to be "called in" and heard by the Planning evelopment Committee, but this could only be achieved if the ward illor sought to do so within 14 days of the application details being circulated Borough Council.	
10 or 1	red I any future application be considered contentious and/or likely to attract more letters of objection, the ward councillor's attention should be drawn matter at the earliest opportunity	Clerk
After a	a lengthy discussion, the following additional actions were agreed:	
proces Subjec	to submit a written complaint to RVBC, to be investigated under its formal dures at to the outcome of any RVBC investigation, a referral to the Local nment and Social Care Ombudsman for potential maladministration may	Cler
CONTRACTOR CONTRACTOR	co copy Cllr Horkin into any future formal correspondence with RVBC on	Clerl
Referr	als to RVBC Planning Enforcement	
Matte	r discussed at the February meeting	
Memb	ers had asked the Clerk to obtain an update on this confidential matter. An	

i)	Second confidential complaint
	Members discussed a further confidential complaint, which – with the agreement of the Chair – had already been reported to RVBC Planning Enforcement officers.
10.	Lancashire Best Kept Village Competition (LBKVC) 2024
	At the February meeting, members had agreed that the Parish Council should once again enter the competition. As a result, the Clerk had completed the necessary application forms and submitted these to the event organisers prior to the deadline of 30 March.
	Traditionally, the Parish Council had entered (and been successful in) a number of categories for Outstanding Features. The Clerk had approached the following, who had confirmed their willingness to once again be entered in the relevant category of Outstanding Features:
	Place of Worship and Grounds – St Catherine's Church
	Village Pub or Inn / Restaurant – 3 Millstones
	Hotel / Guest House – Eaves Hall
	Public Building – Village Hall
	Public Playing Field / Sports Ground – Village Hall
	Children's Play Area – Village Hall
	The above were in addition to the categories which the Parish Council had also confirmed its willingness to enter:
	Community Notice Board – adjacent to junction of Chapel Lane / Westfield Drive
	War Memorial – Coronation Gardens
11.	Dog fouling
	At the February meeting, Cllr Fox had raised the issue of dog fouling at the Village Hall playing fields (a concern echoed by Cllr Best more generally around the village). It had been agreed that the Clerk would explore the current legal controls in place, including the possible introduction of a by-law.
	The Clerk had now researched the topic on the RCVC website, and could confirm the following.
	Dog controls were now prescribed in the form of a Public Space Protection Order (PSPO). The previous order had expired in October 2023, but had now been renewed for a further 3 years. The terms of the PSPO could be summarised as follows:
	With regard to any "land which is in the administrative area of the Ribble Valley" and which is open to the air and to which the public have access, it

	 fail to pick up the faeces of your dog when it has defecated; the person in charge of the dog must have the means to pick up the faeces; and there must be no more than 4 dogs at any time. 	
	For sports pitches within the administrative area of the Ribble Valley, it remained a criminal offence to take a dog onto that land without reasonable excuse or the consent of the owner.	
	It would therefore appear that the legal powers to control dog walkers were already in place, and the issue was essentially one of enforcement – a duty which fell to the RVBC Dog Warden.	
	Cllr Best noted that further incidents involving dog mess had been encountered at the bus stop on Grindleton Rd, and it was agreed to continue to monitor the situation.	
12.	Action Plan 2024	
a)	Content of Action Plan 2024	
	The Clerk presented an updated version of the Action Plan for 2024 for members' consideration.	
b)	Commonwealth Day	
	Members were advised that, on Monday 11 March 2024, the Union Flag had been flown for Commonwealth Day.	
13.	Lengthsman	
a)	Replacement Lengthsman – progress to date	
	As agreed at the January meeting, the Clerk had met with the Lengthsman and, as a result, the following had been decided:	
	 the Clerk had talked through the role and outlined the nature of the work across the village; 	
	 the Clerk had reiterated to the Lengthsman that the contract was for a fixed 12-month period (thereby allowing for a probationary period); the Lengthsman had signed two copies of the contract of employment. The Chair was now requested to countersign both of these documents, with one copy then to be returned to the Lengthsman by the Clerk and the other retained on file by the Parish Council; it was intended that the Lengthsman would commence work before Easter – indeed, members were pleased to report that the Lengthsman had commenced his duties around the village that week; the Clerk had handed the following equipment to the Lengthsman to be 	
	retained by him during his employment: - wheelbarrow;	n.

14.	 Lengthsman) a specification of duties had been complied. However, this document had not been revisited since that time, and a number of changes to working practices had subsequently been made. For instance, the strimming around the village was now carried out by a local resident rather than the Lengthsman. As a result, the Clerk had updated the document to more accurately reflect the work to be carried out during 2024. Resolved New specification of duties to be formally adopted Clerk to pass a copy to the Lengthsman Reports from sub-committees / other meetings attended Playing Field / Village Hall – Cllr Best reported to the Parish Council's representative (Cllr Fox) that certain matters had been brought to her attention. These included the need for (i) more mugs to be acquired (since purchased) and (ii) larger milk jugs to be available in the unlocked cupboards in the serving area of the kitchen that hirers of the hall use. On 	Clerk
b)	ResolvedThe Chair would countersign one of the two contracts of employmentClerk would pass one of the two countersigned contracts to the LengthsmanSpecification of duties to be performedMembers recalled that, in January 2022 (when the Clerk had agreed to also act as Lengthsman) a specification of duties had been complied. However, this document had not been revisited since that time, and a number of changes to working	Clerk
	 broom; dustpan and brush. The asset register had been amended accordingly; however, the following equipment had not been required by the Lengthsman as he had his own equipment and would therefore be temporarily retained by the Clerk: 8 x cones 4 x road signs leafblower and fuel it had been agreed with the Chair that the Lengthsman could purchase his own shovel, with reimbursement to be provided; the Lengthsman would submit his claims monthly (along with a brief note of work undertaken) in order to ensure that an accurate and up to date record of spend could be maintained; the Clerk had provided the Lengthsman with a specimen invoice; and the Clerk would act as the Lengthsman's point of contact. 	

cont

	 Lancashire Association of Local Councils – no update Hanson Cement Liaison Committee – next meeting to be held on Thursday 28 March 2024 at 2pm in the Conference Room at Ribblesdale Works. 					
	Resolved Cllr Marsden to attend meeting of Hanson Cement Liaison Committee	RM				
15.	Correspondence / requests received					
a)	How to report Highway Faults					
	The Clerk had received, and been asked to pass on to members, a message from LALC setting out the various means by which highways emergencies could be reported to the County Council.					
16.	Any Other Business					
a)	Traffic accident in village					
	Members noted that, on 6 March, a traffic collision had taken place at the junction of Westfield Drive and Grindleton Rd. A car emerging from Westfield Drive onto Grindleton Rd had been impacted by a vehicle travelling from the direction of Waddington towards Grindleton. It was understood that the view of the vehicle emerging from Westfield Drive had been obscured by the Post Office van frequently parked adjacent to the post box. Fortunately, there had been no serious injuries.					
b)	Allegation of criminal damage / ASB					
	On 11 March, the Clerk had been contacted by a local resident and informed of an incident which had occurred late on Friday 8 March or in the early hours of 9 March. The resident had claimed that, after some noise (allegedly made by teenagers) had been heard outside her property, the following morning she discovered that the glass had been prised loose on both the near-side and off-side wing mirrors of her private motor vehicle (resulting in the need for two new wing mirrors to be purchased). The resident was intending to fund these repairs herself rather than claim on her car insurance, and accordingly was not going to seek a crime reference number by reporting the matter to the police. The resident had, however, been keen to bring this matter to the Parish Council's attention, with a view to establishing whether any further instances of ASB had been recently encountered in the vicinity of Chapel Lane.					
	Members were unaware of any similar problems recently occurring in the village, and were doubtful that the damage could have been inflicted by youths leaving the social night at the Village Hall (as had been surmised). It was recommended that all future incident were reported to Lancashire Constabulary, if only to inform a more "intelligence-led" approach to the allocation of scarce policing resources.					

17.	Any Other Business					
a)	Drains					
	Cllr Chew reported that she had encountered problems with a drain from a local property, which emptied from the kitchen area onto the highway. The grate below the drain was consistently full of waste food, causing a potential risk of vermin.					
	Resolved					
	Cllr Chew to report the problem to RVBC Environmental Health					
	Date / time of next meeting:					
	The next scheduled meeting of West Bradford Parish Council was to be held at					
	7.30pm on Weds 24 April 2024 .					
	The meeting closed at 8.45pm.					
Signed by:						
		Date:	Cllr A Bristol	Л		
		24.4.24	Chair Andrew Ball			