Brampton Ash Parish Council
Minutes of the Parish Council Meeting Held
Tuesday 4 October 2016, 7.30pm, At St Mary’s Church, Brampton Ash

Present (Parish Councillors)
Cllr Steve Power (Chair)  Cllr Nick Bevan  Cllr Terry Hilliard  Cllr Wendy Brooks

Also Present
Borough Councillor David Howes  County Councillor Allan Matthews

In Attendance: Liz Evans (Clerk)

Public Attendees: Nine parishioners were recorded as being present at the meeting for items 1, 2, 3, 10, 12 and 9.

Action By

1/ Apologies for Absence
Apologies for absence were received and accepted from Cllr Heather Shuttleworth

2/ Chair’s Announcements
The Chair welcomed nine parishioners to the meeting. He explained the structure of the parish council, which is a democratically elected body, and its role within local government. He issued them with agendas and advised them that he intended to change the order of the items so that those which they were most likely to wish to respond to would be dealt with first. Item 10 would, therefore, be discussed after item 3, followed by items 12 and 9. The meeting would abide by National Association of Local Council (NALC) rules.

3/ Declarations of Interest
To Receive Disclosures of Personal and Prejudicial Interests from Councillors On Matters to Be Considered at the Meeting
It was noted that Cllr Terry Hilliard had a prejudicial interest in item 10 and would take no part in discussions on this matter.

10/ Item 10
NCC Footpath Notification GB8 (attached)

The parish council had received notification from Northamptonshire County Council (NCC) regarding an application for a definitive map modification order, reference GB8, inviting its observations by 30 September 2016, later extended to 13 October 2016. The application refers to a pathway which runs from Hermitage Road to the parish church: it is shown on the ordnance survey map as an unmarked path, access to which was historically freely permitted by the landowner. In May 2013 the landowner had written to the parish council to advise that the footpath would henceforth be closed to members of the public. (See parish council minutes 16 May 2013, item 10.) In June 2015 the Bishop of Peterborough successfully applied to the Land Registry for the footpath’s designation as a “common law right of church way”, based on its historical use, as a consequence of which the deeds of the landowner were modified accordingly.

The Chair advised those present that the parish council bore no responsibility for the application now under consideration: its views had been sought but the final decision lay with NCC. Based on the facts presented to it, the parish council would collectively either decide to support the application, oppose the application, or make no comment on the application. A lengthy discussion between councillors and villagers ensued and the following points were addressed:

Circular Letter
A copy of an anonymous and undated letter was presented to the parish council. It had been circulated to some, but not all, villagers, seeking their support in requesting that the applicant withdraw the application. In total it carried 15 actual signatures and 2 per proxy signatures. In terms of households, of the nine which back onto the path, there were five actual signatories and one per
proxy signatory. Prior to the meeting the parish council had received emails from four different households in the village in support of the application.

Security & Privacy Issues
The views of those present at the meeting who opposed the application centered on security issues, the presence of strangers in the village and privacy. Some were concerned for the well-being of small children playing out in their gardens and others referred to ‘recent’ burglaries [time period was not specified]. They felt that the gate across the field entrance to the pathway may afford access for miscreants and the letter intimated that the police had advised locking it: it could not be locked if the path became a public footpath. The Chair responded that he had consulted the local police on this point: they had told him that it was highly unlikely that such advice would have been given and that it was equally highly unlikely that offenders would use the Church Way to assess potential properties to burgle, for risk of being seen. A parishioner questioned the legality of locking the access to a Church Way.

A parishioner pointed out that modern technology enables miscreants to survey properties remotely and, in his view, if they wish to commit theft they will find a way to do so irrespective of the footpath’s status. He cited, as an example, the recent theft of lead from a neighbouring church roof which took place despite the close proximity of the church to local houses. Another parishioner pointed out that it was not possible to peer into houses adjacent to the path as they are too far away and they are surrounded by hedges.

Access for Isolated Village Properties – Village Cohesion & Social Inclusion
A parishioner explained that she has used the path on several occasions to walk from her home in a far part of the village, together with her small children, in order to meet with friends in the main body of the village. Without the path she would be greatly inconvenienced, isolated and unable to visit, except by car. Other parishioners living in far parts of the village had sent emails to the parish council in support of the proposed public footpath as it afforded them safe access to the main village. The Chair pointed out that some villagers had recently been brought together by fund-raising events but it had been necessary to travel by car in order to attend.

Road Safety
As well as providing safe access for isolated villagers (see above), a public footpath would allow the families and friends of people living in the main part of the village to access the church and, importantly, the graves of their loved ones, without having to walk along the busy and dangerous A427.

Historical Precedent
A parishioner noted that the path was shown on the ordnance survey map as far back as 1899. Another stated that he had lived in the village for approximately forty years. In that time, the footpath was known as ‘the short-cut’ and it allowed agricultural and other workers a quick means of access to their places of work across the village.

Cllr Allan Matthews (NCC) explained that NCC has responsibility for public footpaths and, where challenges are presented, they have a duty to follow them up. He has discussed the matter at County Council level and, based on historical association, the path could be designated as a public footpath: NCC has a duty to work with the facts of the case and a major tenet of the case would be the period of historical use.

Church Way
Church Way was established in June 2015. Cllr David Howes (KBC) wished to clarify that the landowner had originally closed the footpath. He had subsequently met with the landowner in an attempt to arbitrate over the closure and it had, at that time, been made clear to him that the landowner did not want anybody to walk the path. The path had, ultimately, been re-opened as a
Church Way due to the efforts of the church officials. Cllr Matthews had also discussed the matter with the landowner who had made clear to him, too, that he was not agreeable to any access other than church use.

The Chair felt that many villagers were unaware of the legal conditions pertaining to a Church Way, namely:

- A Church Way is for the use of parishioners only
- Parishioners may only use a Church Way path in order to access the church, on church business

This means that:

- Parishioners’ families and friends may not legitimately use the Church Way, even on church business
- Church Way may not legitimately be used for access between different parts of the village

It was acknowledged that villagers may also use the path at the discretion of the landowner but this privilege could be withdrawn by the landowner at any time.

Speaking from personal experience Cllr Bevan pointed out that his daughter is buried in the churchyard and, whilst he is able to visit her grave, he does not feel confident to take his family members to her grave via the footpath so they have to use the A427 road to access the churchyard.

2 Possible Compromises
The Chair suggested that, if a public footpath was established, the installation of a ‘kissing gate’ or similar would ensure pedestrians could access it freely whilst it could not be accessed by vehicles engaged in illicit business.

Several parishioners favoured requesting the landowner to modify his deeds to ensure that parishioners and their families and friends could legally enjoy unfettered use of the path, in perpetuity.

In Summary
The Chair asked parish councillors for their observations, based on the various views expressed at the meeting.

Cllr Brooks said she had listened carefully to the various opinions and she wished to support the application as it would serve a very real purpose in helping to unify all parts of the village. She did not consider that, by not having the footpath, security would be increased.

Cllr Bevan supported the application as he wanted to be confident that the families and friends of parishioners could freely use the path. He was concerned that, even if the present landowner legally enshrined their rights of access in his deeds, there was the risk that a new landowner could revoke them. The legal position would need to be clarified.

Cllr Power supported the application in the interests of community cohesion. To demonstrate this he read out an email that the parish council had received from parishioners who were unable to attend the meeting: they live on Harborough Road and they stated that: ‘The footpath is most important & very valuable means of safe access to the village for all our family. Speed, heavy traffic on this stretch of the A427 (no footpath) makes this walk extremely dangerous day or night.’ Cllr Power fully agreed with the sentiments expressed.

Whilst the parish council expressed their support for the application they agreed to delay sending their response to NCC until 11 October in order to give parishioners time to contact the landowner to seek his agreement to enshrine in his deeds the rights of parishioners’ families and friends to use the path, in perpetuity and without interference, in order to access all parts of the village and not solely
on church business. These rights must devolve to any future owner of the land in question. The landowner must agree to pay the legal costs for doing so, including the costs to the parish council.

Cllr Brooks expressed her concern that the contents of the circular letter referred to in paragraph 2 were misleading and, in fairness to the applicant, she requested that it be amended to fully present all relevant facts.

12/ Item 12
Community Use of the Telephone Box
Councillors considered that an earlier suggestion by a parishioner that the telephone box could be used as a book exchange was unlikely to be viable. For details see minutes of the meeting held 25 May 2016, item no. 12.

Following some discussion it was agreed that the clerk would investigate the feasibility of installing a defibrillator in the telephone box and she would contact Bernard Rengger, Sutton Basset Parish Meeting, for advice in the first instance as Sutton Basset had already installed one.

9/ Item 9
Highway Matters
1. Traffic Calming Measures, Hermitage Road: Update - C Cllr Matthews:
Cllr Matthews outlined the position regarding traffic calming measures in the villages that he represents. He had purchased Vehicle Activated Signs, which warn drivers of their speed, for the villages’ use and he had been consulting with NCC regarding their appropriate location. He advised that volunteers would be required to install and monitor the signs: one parishioner volunteered at the meeting and passed his details to the clerk, who will contact him in due course.

(i) Proposed Siting in Brampton Ash
It was agreed that the preferred location for the signs is the lamp post adjacent to The Paddock, in Hermitage Road.

(ii) Licence Application
It was agreed that the clerk would complete the application form for the licence required under Section 50 of the New Roads and Street Works Act 1991 and would forward it to NCC, together with the necessary documentation and payment of £260.00: Cllr Matthews has already given this amount to the parish council from his allocation of the Councillors’ Empowerment Fund.

2. Road Safety A427: Update – C Cllr Matthews
Cllr Matthews explained that attempts to address road safety issues on the A427 (Brampton Ash) had been strenuously pursued by himself, the parish council and NCC for some time [the parish council having first raised the matter with NCC Highways in March 2015]. Cllr Matthews had recently met with a representative from NCC: together they had identified that there is a danger from traffic travelling at such high speed from the Dingley direction that it cannot slow down to avoid the risk of collision with traffic turning right into Hermitage Road and the homes which front onto the A427. They had discussed various options, some of which had to be discounted: for example, double-white lines would be unlikely to meet legal requirements and there was no space for a separate turning lane to access Hermitage Road. Consideration could be given to providing an additional sign; placing a luminous board behind the existing sign, and the provision of markers along the verge. Cllr Matthews would be meeting with NCC again later in October and he would discuss the options further. A parishioner pointed out that some of the over-grown trees along the road-side obscure the junction and suggested that they be trimmed. It was noted that ownership of the land that the trees stand on would first need to be established. Cllr Matthews will include this in his discussions with NCC.

3. Pond Inspection, Hermitage Road A6 end
It was agreed that Cllrs Power and Bevan will carry out the inspection in December, after the foliage has died back, as this will give them a clearer view. If it was found that work was needed the situation would be reported to NCC.
4/ Minutes of the Meeting Held 25 May 2016
To approve the minutes of the above meeting as an accurate record or to amend factual inaccuracies if they occur.
The minutes of the meeting held 25 May 2015 were approved as a correct record and signed by the Chair.

5/ Matters Arising From the Above (except where they are agenda items for this meeting)
5.1: Item 8.2 Map of Brampton Ash Parish Boundaries
The clerk advised that NCC had indicated that they would be sending these out to all parishes, commencing in December 2016.

5.2: Item 8.3 Grit Bin Installation
Cllr Power reported that he and Cllr Bevan had completed the secure installation of the grit bin.

All other matters arising were listed as agenda items.

6/ Financial Matters
1. Current financial position:
The clerk issued a financial statement showing a credit balance of £1981.63 (attached). This was accepted by the council and signed off by Cllrs Bevan and Hilliard.

2. Banking facilities:
The clerk’s efforts to secure an alternative provider offering Community Banking are ongoing. Of the four banks that had been approached, three had been beset by communication difficulties. The fourth, Cooperative Bank, was now actively furthering the application but it was taking longer than expected and the clerk will continue to chase them for completion. Councillors approved the application to Cooperative Bank.

3. Transparency Fund Application:
Councillors approved the proposed application for £150.00 to cover the parish council’s website hosting charge for one year and 12 hours website maintenance: the clerk will action this.

4. Notice of Conclusion of Annual Audit: update:
The clerk reported that the Notice of Conclusion of Audit had been completed and posted on the parish council’s website and on the village notice-board. The auditors had raised one issue, requiring the Asset Register to be amended to show the purchase value of the old telephone box (£1.00) and not the insurance value of it (£300.00). See Item 7, below.

5. Parish Council Insurance Renewal:
The parish council’s insurance is due for renewal before the next meeting: councillors gave approval for the clerk to seek best value for money and action this, in conjunction with the Chair.

7/ Annual Governance Review
Revised Asset Register: attached
The revised Asset Register was approved by councillors and signed by the Chair. The clerk will post it on the parish council’s website.

8/ Planning Matters:
To Consider Matters Relating to Planning Applications in and Adjacent to the Parish
Since the meeting of 25 May 2016 there had been no planning applications for councillors to consider.

11/ Rural Forum Minutes 21 July 2016 (previously forwarded to councillors)
Parking Permits: Kettering Borough Council (KBC)
Councillors who visit KBC on official business may now obtain a parking permit: details are given in the
Rural Forum minutes of 21 July.

Other items of interest
Cllr Howes advised that the Rural Forum’s Chair wishes to address issues primarily within the rural villages rather than the A6 towns and was seeking greater representation from the villages. One such issue is that of villages’ street lighting maintenance. He confirmed that this is the responsibility of KBC and any problems with the lighting should be reported to them.

13/ Any Other Business
In response to the suggestion of a book exchange (see item 12) Cllr Brooks suggested that villagers consider setting up a Book Club: it could be run both physically and virtually, for those unable to attend in person, and could perhaps be located in the parish church as a village event.

14/ Date and Venue of Next Meeting:
The next ordinary meeting of the parish council is scheduled to take place on Wednesday 14 December 2016, 7.30pm at the village church.

Meeting finished 10.10pm

Signed: Liz Evans, Clerk to Brampton Ash Parish Council
tel: 01536 771470
email: bramptonashparishcouncil@outlook.com web: www.parish-council.com/bramptonash
**Brampton Ash Parish Council: Income and Expenditure 1 Apl 2016 - 27 Apl 2016**

<table>
<thead>
<tr>
<th>Date</th>
<th>Item</th>
<th>Income £</th>
<th>Expenditure £</th>
<th>Salary £</th>
<th>Balance</th>
<th>Pre-pay card £</th>
<th>Pre-pay card £</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/04/16</td>
<td>Balance brought forward current account</td>
<td></td>
<td></td>
<td></td>
<td>£166.52</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01/04/16</td>
<td>Balance brought forward deposit account</td>
<td></td>
<td></td>
<td></td>
<td>£463.52</td>
<td></td>
<td></td>
</tr>
<tr>
<td>01/04/16</td>
<td>Balance brought forward pre-payment card</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>103.26</td>
<td></td>
</tr>
<tr>
<td>01/04/16</td>
<td>Total balances brought forward</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£733.30</td>
<td></td>
</tr>
<tr>
<td>17/04/16</td>
<td>KBC Precept payment</td>
<td>£1,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£1,733.30</td>
</tr>
</tbody>
</table>

Bank reconciliation
Signed: S Power (Chair)
Date: 31/04/15

---

**Brampton Ash Parish Council: Income and Expenditure 28 Apl - 25 May 2016**

**No transactions in this period**

Bank reconciliation
Signed: N Bevan (Member)
Signed: W Brooks (Member)
Date: 25 May 2016

---

**Brampton Ash Parish Council: Income and Expenditure 25 May - 4 October 2016**

<table>
<thead>
<tr>
<th>Date</th>
<th>Item</th>
<th>Income £</th>
<th>Expenditure £</th>
<th>Salary £</th>
<th>Balance</th>
<th>Pre-pay card £</th>
<th>Pre-pay card £</th>
</tr>
</thead>
<tbody>
<tr>
<td>19/05/16</td>
<td>Councillors’ Empowerment Fund (Section 50)</td>
<td>£260.00</td>
<td></td>
<td></td>
<td>£1,993.30</td>
<td></td>
<td></td>
</tr>
<tr>
<td>04/06/16</td>
<td>Interest</td>
<td></td>
<td>£0.16</td>
<td></td>
<td>£1,993.46</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30/06/16</td>
<td>Interest</td>
<td></td>
<td>£0.15</td>
<td></td>
<td>£1,993.61</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19/08/16</td>
<td>Prepaid card account closed</td>
<td></td>
<td>£103.26</td>
<td></td>
<td>£1,890.35</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19/08/16</td>
<td>Prepaid card balance transfer to current account</td>
<td></td>
<td>£103.26</td>
<td></td>
<td>£1,993.61</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14/09/16</td>
<td>Pre-pay ALTO card fee refund</td>
<td></td>
<td>£6.00</td>
<td></td>
<td>£1,999.61</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30/09/16</td>
<td>Unity Bank Service Charge</td>
<td></td>
<td>£18.00</td>
<td></td>
<td>£1,981.61</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30/09/16</td>
<td>Interest</td>
<td></td>
<td>£0.02</td>
<td></td>
<td>£1,981.63</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Bank reconciliation
Signed: N Bevan (Member)
Signed: T Hilliard (Member)
Date: 4 Oct 2016

---

*The provider has ceased paying interest on deposit accounts. Deposit a/c balance has, therefore, been t/f to the current a/c for easier management*