

**EAST FARNDON PARISH COUNCIL MEETING AT THE VILLAGE HALL
GENERAL MEETING OF THE PARISH COUNCIL
TUESDAY 14TH SEPTEMBER 2021 COMMENCING AT 7.45PM
PRESENT: Mr M Curtis (Chair), Mr R Burton, Ms J Cooper, Mr B Fallon
Mrs. C Burton (Clerk to the Parish Council)
OTHERS IN ATTENDANCE – One**

1. Apologies for Absence

Apologies received and accepted from Councillors Hodgetts and Pepler.

2. Declarations of Interest and Dispensations

There were no Declarations of Interest.

3. Approval of the Minutes of the Annual Meeting of the Parish Council on 13th July 2021

The Minutes of the above meetings were agreed by all Councillors, and signed by the Chair.

4. Matters Arising

ACTION	PROGRESS
Clerk to continue work on the footpath leaflet.	Ongoing
Clerk to complete review of Burial Ground Committee records, and to digitise as appropriate.	Done
Clerk to investigate establishment of ownership of the Burial Ground land.	Added to agenda
Clerk to progress Land Registry application for War Memorial and Spring Trough land to be registered in the Parish Council's name.	Added to agenda
Councillor Fallon to meet with owner of Marston Trussell Flying School for advice on microlites.	Done – the owner will assist the Parish Council with any future problems
Councillor Fallon to investigate feasibility of repositioning of the SID	Added to agenda
Burial Ground Committee to meet again to carry our further grave levelling.	Ongoing
Clerk to obtain quotes for hedge-cutting of Burial Ground, Extension and Churchyard.	Ongoing
Councillor Hodgetts to organise spraying of the path through the Graveyard and Burial Ground with dog-friendly weed killer.	Ongoing
Councillor Burton to organise future Push Tests with Burial Ground Committee.	Ongoing
Councillor Burton to combine Burial Ground Regulations and Byelaws.	Carried forward
Councillor Fallon to liaise with Highways as appropriate regarding the Spring hardstanding.	Added to agenda
Clerk to investigate the possibility of a National Heritage grant for the Spring hardstanding resurfacing work.	Done - Historic England have confirmed it would not be eligible, but have signposted possible alternative sources, to be reviewed when the Spring hardstanding work is confirmed (see agenda item 'Spring Hardstanding')

ACTION	PROGRESS
Councillor Harrison to draft a communications survey for circulation to Councillors by the end of July, with a view to issuing the survey before the September meeting, to include seeking views of parishioners on microlites.	Added to agenda
Councillor Harrison to seek volunteers for a Queen's Platinum Jubilee Committee.	Carried forward
Councillor Cooper to organise defibrillator training.	Carried forward – with a suggested date of March 2021
Councillor Curtis to put the defibrillator training video on the website.	Done
Councillor Fallon to investigate the possibility of a Fire Service CPR/AED use demonstration.	Done – Desborough Fire Service have agreed ACTION: Councillor Fallon to organise a date for a Fire Service CPR/AED use demonstration.
Clerk to advise KierWSP that that the verge without the pavement between the village and Market Harborough boundary does not require cutting.	Done
Clerk to organise update of the footpath webpage to provide information on walking safety.	Done
Clerk to check notices required if there is a bull in a field through which a footpath runs.	Done – added to agenda
Clerk to chase EON regarding light repair at Hillside.	Done – the external ducting (rather than the wire) was perished and has been replaced
Councillor Hodgetts to check whether Judy Hodgetts is happy for wider publicity regarding the WW2 air crash news story.	Done – Judy Hodgetts agreed
Clerk to chase WNC Environmental Health about suitable signage to dissuade dog owners from leaving full dog foul bags, and what bin options exist.	Done – added to agenda
Councillor Harrison to carry out a site visit of the bus shelter and advise on suitable action.	Carried forward

5. Roads and Transport

- Repositioning of the SID

Councillor Fallon reported that he had been in contact with KierWSP and had obtained a map of all the possible locations of the SID. He suggested that the SID is re-positioned on the lamp post opposite the VAS. It will cost around £800 to move the VAS, so the Parish Council agreed to not move it at the moment. Also, the Clerk needs to sort an amendment to the Section 50 notice relating to the SID/VAS.

ACTION: Councillor Fallon to organise moving the SID to the lamp post opposite the VAS.

ACTION: Clerk to sort an amendment to the Section 50 notice relating to the SID/VAS.

6. Planning and Development

Applications granted

- WND/2021/0214 Demolition of existing garages. Construction of new double garage with study above and photovoltaic panels on roof - Old School House, Main Street, East Farndon, Northamptonshire, LE16 9SJ
This application was approved on 29 July 2021.

- DA/2021/0140 Conversion of redundant stable block and storage building to two residential dwellings and associated landscaping - Greenfields, Marston Lane, East Farndon, Northamptonshire, LE16 9SL
This application was approved on 30 August 2021.

Applications for consideration

- WND/2021/0285 Two storey rear extension and detached triple garage block with home office within roof space - Moyargot, Main Street, East Farndon, Northamptonshire, LE16 9SH
The Parish Council considered this application via email, and had no objections in principle. However, the Parish Council commented that the vehicular access to the property needs consideration, as at present, vehicles are entering at an angle, using the vehicular access to The Wharri (next door); however, large vehicles would not be able to access in this manner without risk of damage to the existing kerb; this matter should be raised with Highways.
- WND/2021/0464 Repair and refurbishment of existing outbuilding to accommodate replacement roof, doors and windows, insertion of 3 no. rooflights, relocation of 2 no. rooflights previously approved, removal of 2 no. existing rooflights, insertion of 1 no. dormer window and partial rebuilding of external walls (revised scheme) - The Hall, Back Lane, East Farndon, Northamptonshire, LE16 9SE
- WND/2021/0465 Listed Building Consent for repair and refurbishment of existing outbuilding to accommodate replacement roof, doors and windows, insertion of 3 no. rooflights, relocation of 2 no. rooflights previously approved, removal of 2 no. existing rooflights, insertion of 1 no. dormer window and partial rebuilding of external walls (revised scheme) - The Hall, Back Lane, East Farndon, Northamptonshire, LE16 9SE
The Parish Council considered these two applications, and had no objections.
ACTION: Clerk to respond to planning applications WND/2021/0464 and WND/2021/0465 (The Hall, Back Lane).

7. Other Matters

- **Footpath Report**

The Clerk provided the following report, provided by the Footpath Warden, Alan Langley:

- There has been at least one necessary project carried out on our paths, which I have not reported before. This is on the new path, 'Adam'smile', on the old railway line between Lubenham and Harborough, part of which is in East Farndon. New handgates have been installed at several points and access is now easy for walkers and cyclists all the way along.
- I have not seen or been informed of any other repairs or responses to my StreetDoctor reports. This means there are ten problems awaiting attention, mostly wobbly stiles.
- There is to be another training session for Parish Path Wardens on the use of StreetDoctor next month. The co-ordinator, Jacqui Williams, is intending to go on from there to provide further useful information as time goes on. She seems to be responding to what Wardens say they would find helpful, which must be the right approach. She does reply to emails, which means there is a channel of communication for the first time for several years. I wrote to her, wondering if being a warden was a waste of time, as we can report problems but there seems little prospect of them being resolved. She replied by asking what unresolved issues I had, so I shall give her a full list and see if that achieves anything.
- I hope we are seeing the beginning of a more responsive service, though there is a long way to go.

- **Burial Ground Committee**

The Clerk reported that agreement to the erection of one headstone had been sought and granted, and the purchase of a plot is ongoing.

- **Tree Wardens**

The Clerk reported that the Tree Wardens have provided an updated TPO Schedule (circulated to Councillors) and Michael Venton still has not been in touch regarding a site visit to discuss the outstanding issues. The only other new issue is the removal of the Ash in the field opposite The Manor (TPO DA38); the tree was split in half by a lightning strike in July, and being entirely hollow, a large part of the remaining stem fell leaving only part of the tree standing – of which some elements were rotten, and also split. The owner of the field contacted Michael Venton at WNC, who agreed that the remains of the tree could be felled with replanting to take place during Winter 21/22, which the Tree Wardens will monitor.

- **Neighbourhood Watch (NHW) and Police Liaison Representative (PLR)**

Nothing to report.

- **Land Freeholds of Burial Ground, War Memorial and Spring Trough**

The Clerk reported that further to enquiries undertaken regarding the registration in the name of the Parish Council of the burial ground land, and the land on which the Spring trough and War Memorial sit, Danny Moody (NCALC) advised to engage the help of solicitors to ensure the process is done thoroughly and properly. NCALC have a partnership with Wellers Hedleys, who are specialists in this area, and they have estimated the cost of the work required for registration at £550 plus VAT and disbursements not exceeding £100.

The Clerk also reported that subsequent to obtaining this quote, the PCC had found the Deed of Conveyance of the Burial Ground land to East Farndon Burial Board dated December 1950 in their records. Additionally, Peterborough Diocese finally responded regarding the Burial Ground land, and they advised that they had reviewed their file and noted that the land was conveyed to the Burial Board for the Parish of East Farndon in December 1950. They have written to the Land Registry and they have updated their records accordingly, so the land in question is no longer registered to the Incumbent. However, based on the Land Registry records provided by the Diocese, it appears that the Diocese have only re-drawn the boundary of title number NN301320 (the Churchyard) to exclude the Burial Ground; it is unclear whether a separate title number has been allocated to the Burial Ground and if it is registered to the Parish Council.

It was agreed that the Clerk should undertake further enquiries to confirm the situation, and then obtain a new quote from Wellers Hedleys as appropriate.

ACTION: Clerk to establish the Land Registry title number and registered owner for the Burial Ground Land, and seek an amended quote from Wellers Hedleys as appropriate.

- **Spring Hardstanding**

Subsequent to the meeting between Councillor Fallon and David Coleman (Highways) in July 2021, when it was suggested that the Parish Council could pay for the Spring hardstanding to be re-surfaced at the same time as the road in Main Street, the Parish Council was advised that there is no money for the road re-surfacing. As Main Street is not going to be re-surfaced, the resurfacing of the Spring hardstanding cannot be done at a cheaper price at the Parish Council's expense.

WNC have also advised that they cannot transfer the land to the Parish Council - WNC do not own it. It is highway (most likely to purposely give access to the Spring) and WNC are therefore responsible for it by virtue of that presumed dedication as highway. WNC advise that the land beneath the highway is unregistered and the Common Law presumption is that the adjacent landowners own the subsoil beneath the highway. However, ownership is irrelevant while the land is highway and only becomes relevant if the land is ever legally extinguished as highway - and extinguishment is what would need to happen for anyone to acquire the land. WNC advise that there are two options open to the Parish Council for highway extinguishment both have drawbacks:

- Section 116 of the Highways Act can be used if the land is deemed to be unnecessary as highway. WNC believe that this might be hard to prove if it is going to be open to the public to access the spring. Also a s116 also costs over £4500 which the Parish Council would have to pay.
- Section 247 Town And Country Planning Act can be used to facilitate a 'development' on an area of highway. That can be something quite minor but it has to be something which requires planning consent. Without planning consent, s247 is totally unfeasible.

Either option would require WNC to be happy the land is surplus to requirements as highway. That would be more of a collective decision. Ultimately, the adjacent landowner might have the best claim to the land as it stands so, if the land were legally extinguished, there is no guarantee that the Parish Council could readily claim it - the Parish Council would need to take their own advice on that. If it was to remain as highway, but somehow be turned into a pedestrian friendly area with vehicular access made more difficult, then that would also require a similar sort of consensus that it is not too detrimental to the highway user and would of course also require funds.

So it appears the only option left to the Parish Council is to pay the Council-approved contractors and the estimate is in the region of £20,000 – the Parish Council's precept for 2021/22 is £10,200, so this is not feasible.

The Parish Clerk raised this matter with WNC Councillor Harris, who met with Councillors Fallon and Burton on 2 September 2021. Councillor Harris said he would make further enquiries at WNC and also suggested the Parish Council apply a WNC Community Funding grant, and also apply for a Heritage Fund grant.

The Clerk has registered an expression of interest for WNC Community Funding, which will be open for new grant applications in October 2021. However, early indications are that a successful application is unlikely.

As regards a Heritage Fund grant, the Parish Council will need to demonstrate that the project meets the mandatory outcome of 'A wider range of people will be involved in heritage', and it should preferably meet other priority criteria (the funded organisation will be more resilient/people will have greater wellbeing/people will have developed skills/the local area will be a better place to live, work or visit/the local economy will be boosted). The project will also need to demonstrate that it is building long-term environmental sustainability and inclusion.

WNC Councillor Harris, in attendance, advised he is meeting with Helen Howard (WNC Community Liaison Officer) and will raise this issue.

ACTION: Clerk to monitor progress regarding the Spring hardstanding, and take action as appropriate.

ACTION: Councillor Curtis to organise a website article on the history of the Spring, and promote it further if possible.

- **Communications Survey**

Councillor Curtis reported that work had begun on the survey.

ACTION: Councillor Curtis to assist Councillor Harrison on the development of the survey.

- **Notice Regarding Bulls in Fields**

The Clerk reported that specific types of bulls are banned by law from fields containing a public right of way; bulls over ten months of any other breed must be accompanied by cows or heifers when in fields with public access; and signs warning that a bull is in a field containing a public right of way is best practice, not mandatory.

Councillor Fallon spoke to Richard West about his bulls (Charolais and Lincoln Red Bulls), and Mr West advised Robert Gowling uses Simmental and Angus Bulls – none of these are banned. Mr West advised that dairy breeds cannot be on public rights of way because they are very aggressive and unpredictable all of the time, whereas the beef cows are generally more relaxed. He also explained that, generally, bulls are quite placid when they are with females and only become agitated when they are on their own, but that bulls of any sort should not be left alone in a field for any great length of time; the chasing and aggression usually comes from new mothers protecting their young.

In terms of signage, Mr West says he is unaware that signage should be displayed or of any laws that requiring signs - he has never been told or asked to erect signage (by anybody). However, he is happy to put some up if requested, but suggested it could become difficult to manage when the cattle get moved around.

Research shows that if a farmer puts up signs denoting bulls in the field, but there were in fact none (because they had been moved, for example, and the signs had not been taken down), then they could then be prosecuted for obstructing a public right of way if someone complained that the signage deterred them from walking through the field, but by not erecting any signage they are not breaking the law in the first place as it is guidance only.

The Parish Council agreed to no further action at this stage.

- **Dog/Litter Bins and Dog Fouling Signs**

The Clerk reported that:

- Lee Goodridge of WNC Environmental Health advised that he would patrol the area and see if anyone is seen to be dropping bags of dog foul.
- As regards Dog Fouling signs, no response has been received from WNC Environmental Health despite chasers.
- As regards Dog/litter bins, WNC have almost entirely stopped their programme of installing and replacing litter and/or dog bins. DDC transferred a large number of them to Daventry Town, who effectively inherited the budget along with these assets, so they now have very little funds available for installs or replacements including in the rural parishes. As Daventry Town Council now fund the replacements in Daventry, WNC have taken the position that new or replacement units in the villages are best delivered by Parish Councils against locally identified needs, and if the Parish Council would like a quote for the supply, installation and emptying of new bins they can email Norse directly.

The Clerk obtained a quote from Norse as follows:

- Option One: Topsy Royale litter bin in black – the price below is installed on a hard surface and need to add £100 if it is to go on grass needing a ground anchor

Price £219.30

Installation £27.50 per hour

Fixtures £18.00

For a new bin Service charge per year £288.80 (to empty bin for one year)

Total Price £553.60 + VAT

- Option Two: Hooded Trimline 25 bin in black - can be strapped to an existing pole, i.e. street sign, or it is around £100 to install a pole

Price £137.80

Installation £27.50 per hour

Fixtures £18.00

For a new bin service per year £288.80 (to empty bin for one year)

Total price £471.10 + VAT

Norse confirmed they only provide the Trimline 25 bins for dog bins; alternatively, the Parish Council can install its own and just pay the collection fee, but Norse would need to inspect any area for new bins. A Trimline 25 bin can be bought for around £125 plus VAT.

The Parish Council discussed the current bin provision in the village, and the cost/benefit of bin provision.

ACTION: Clerk to establish who owns the dog bin at the Amenity Land.

ACTION: Councillor Curtis to ensure a question is included in the survey regarding spending priorities, including bin provision.

- **Defibrillator**

Councillor Cooper reported that when checking the defibrillator in August, she noted that it has been disturbed – the cable tie was missing; the cover was not put on correctly; and the hi-viz was in front of the defibrillator whereas normally it is tucked behind – but the defibrillator had not been deployed (this would be reported to us). There are alternative security measures available, e.g. a code via the Ambulance Service. However, the defibrillator has been in place for three years with no incidents, so the Parish Council agreed to continue with the cable tie, which means the defibrillator is readily accessible to anyone who needs it.

- **Amenity Land Donation**

The Clerk advised that the Parish Council had received a request for a donation to the Amenity Land Trust; the Trust has several ongoing commitments (insurance, mowing, etc.), and has been unable to fundraise due to the lockdown. The Parish Council last gave the Trust a donation in March 2020. The Parish Council agreed a donation of £100.

ACTION: Clerk to action donation of £100 to the Amenity Land Trust.

- **Main Street Drains and Gullies**

The Clerk reported that WNC Councillor Harris had been contacted regarding the ongoing problem with the drains/gullies in the village. At the meeting with David Coleman (Highways) in July 2021, Mr Coleman agreed that the drains and gullies are blocked and advised that because a lot of the drains sit proud to the road surface, water running down the road does not go into the drains (even if they were unblocked). As a result, the running water is causing even more damage to the road. He advised that he would get the road built up around the drains, and then get the drains unblocked, and then get the road re-surfaced in stages. However, we were then advised that there was no money for this work.

WNC Councillor Harris met with Councillors Fallon and Burton on 2 September 2021, and subsequently Councillor Harris has chased the drainage issue with Highways and submitted photographs; further, he is meeting with Helen Howard (WNC Community Liaison Officer) to discuss Highway issues in villages, including East Farndon.

On 13 September 2021, KierWSP came to unblock the drains and Councillor Burton spoke to them; they advised that the drains on Harborough Road were broken and this would be part of their report.

ACTION: Clerk to monitor progress regarding the drains, and take action as appropriate.

- **Construction Traffic Using Lubenham Lane, East Farndon, Northamptonshire for Avant Homes Development at Farndon Fields, Market Harborough, Leicestershire**

The Clerk reported that residents have complained about the use of Lubenham Lane, East Farndon by HGV vehicles. Lubenham Lane is marked as not suitable for HGVs. Despite this, the residents advise that a number of lorries are using The Lealand/Lubenham Road (and then Farndon Fields Farm Shop access); they can only be delivering to the Avant building site that way. Residents had noticed these HGVs over a week, starting with a delivery of portaloos; there were around 10 such lorries using this route in one morning. These included Thompson's, a FTL flood transport.co.uk (highway maintenance on the back) and M F Quinn which said on the side 'earth moving/road planning/top soil/crushed concrete.'

The Clerk visited the junction of Lubenham Road and there are numerous black tyre marks on the road – and on the pavement, as obviously the lorries cannot enter the road without mounting the pavement.

At a planning meeting in Spring 2018 (attended by Councillor Irving-Swift), HDC specifically refused an application by Avant Homes to build a new access road through the north of East Farndon Parish and it was clear that vehicles would access the new development through the existing development. However, it appears the construction traffic is now using and damaging Lubenham Road instead.

In response to a previous complaint, Harborough District Council (HDC) confirmed that in relation to the Farndon Fields development, there is a routing plan to get construction vehicles and traffic through the development to the site(s) still under construction, but not specifically to the site as there are separate, more appropriate controls for traffic on the wider highway network, such as weight restrictions which should be enforced by other agencies rather than HDC. They further advised that concerns about highway safety/misuse would need to be referred to the Leicestershire County Council as the Highway Authority. Therefore, the Clerk has contacted Leicestershire Highways, as well as WNC Highways, and copied in all WNC Councillors. Councillor Irving-Swift has confirmed she will flag up this issue with WNC Highways. Leicestershire Highways has advised to raise the issue with HDC (despite HDC advising to raise it with Leicestershire Highways).

ACTION: Clerk to monitor progress regarding Construction Traffic Using Lubenham Lane, and take action as appropriate.

8. Finance

- **Bank Reconciliation**

Bank Reconciliation as at close of business on 13 September 2021

Balance as at 12 July 2021

Current account	£17,478.68	
Deposit account	<u>£1,552.00</u>	
		£19,030.68

Income

PCC mowing contribution	£244.44	
Interest	<u>£0.02</u>	
		£244.46

Expenses

WNC (cheque cleared)	£70.00	
WNC	£90.00	
C Burton	£463.20	
K Kavanagh	<u>£550.00</u>	
		-£1,173.20

Balance as at 13 September 2021

Current account	£16,549.92	
Deposit account	<u>£1,552.02</u>	
		£18,101.94

The bank reconciliation was checked and signed by Councillor Cooper.

• **Actual v. Budgeted Spending**

	Precept Agreed	Expenditure to Date	Balance
Streetlighting and Maintenance	£2,050.00	£544.02	£1,505.98
NCALC	£250.00	£246.03	£3.97
Insurance	£690.00	£680.39	£9.61
S137 Spending	£220.00	£149.30	£70.70
Training	£50.00		£50.00
Mowing of Burial Ground/Hedges	£2,000.00	£1,410.00	£590.00
Clerk Gross Salary	£3,020.00	£1,601.06	£1,418.94
Parish Council/Clerk Expenses	£350.00	£179.65	£170.35
Miscellaneous Expenses	£100.00		£100.00
Graveyard Responsibility	£1,000.00		£1,000.00
Election Expenses (May 2021)	£270.00	£75.00	£195.00
Defibrillator Expenses	£200.00	£126.00	£74.00
VAT		£105.77	
TOTAL	£10,200.00	£5,117.22	£5,188.55

RESERVES

Lighting Replacement	£2,500.00		
Renovation of Village Spring	£500.00		
Churchyard Maintenance Work	£2,000.00		

• **The following payments were agreed by all Councillors**

Payee	Reason	Amount	Chq no
WNC	Election expenses	£90.00	online
C Burton	August/September 2021 salary and expenses	£463.20	online
K Kavanagh	Mowing	£550.00	online

9. Correspondence

- The Clerk reported that EON had advised on a electricity price increase from 1 September 2021 of 3.30p per kWh, which will be an increase in the region of £130 (plus VAT) per quarter.
- All other relevant correspondence (e.g. NCALC Newsletter) has been circulated to Councillors and shared on the village website and Facebook page where appropriate.

10. Any Other Business

- Councillor Burton carried out the Fixed Asset audit on 13 September 2021. He reported all was in order and suggested the two Neighbourhood Watch signs should be added to the Fixed Asset Register. He also proposes to clean up bird mess from the Village Green and Burial Ground benches.

ACTION: Clerk to add Neighbourhood Watch signs to the Fixed Asset Register.

11. Date of the next meeting – 9th November 2021

Provisional meeting date – 12th October 2021

12. Closure

The meeting closed at 9.20pm.

Signed that the Minutes are a true and accurate record

Chairman _____ **Dated** _____