

	STUDHAM PARISH COUNCIL MINUTES OF VIRTUAL GENERAL MEETING HELD MONDAY 12TH APRIL 2021 @ 6 PM	
	Councillors Present: Bob Wilkin (BW), Mark Poyner (MP), Mohammed Rashid (MR), Geoff Shute (GS), Chrys Smith (CS), Lynne Smith (LS) & Alan Wright (AW). Ward Councillor Eddie Perry (EP) Also, in attendance: 6 members of public (mop). Clerk - Julie Cooper (JC)	
1.	Apologies for absence. Kevin Collins	
2.	Declaration of Interest. <i>(Personal and / or Prejudicial)</i> 5 a). Gates & bollards – CS 6 a). Byslips Road - CS 6 d) ii. Gardener Contract – BW, GS, CS & LS. 8 a). School corner – CS.	
3.	Public Question time. No questions currently. CS requested a counter to register the number of HGV's using Byslips Road – of Ward Councillor.	
4.	To confirm approval the minutes of the virtual meeting held on 1st March 2021. The minutes were accepted and signed as a true and correct record of that meeting. Any matters arising therefrom. No matters arising other than those included within the agenda.	
5.	Report of the Chairman – Councillor Wilkin. a) Gates and Bollards – BW advised that the Parish Council had not made a statement on the situation with respect to the gates and bollards for a little while, but several actions have now taken place to merit an update on the situation. Towards the end of last year, we did two things: (1) we persuaded CBC to undertake a survey to determine which of the gates and bollards were on Registered Common and which were not; and (2) through the auspices of the Open Spaces Society, we had a case review undertaken by Hugh Craddock, who is one of the authors of the leading textbook on Commons (Gadsden and Cousins). That process began to identify some clear rights of action to enforce the removal of the gates and bollards. We therefore sought formal legal advice from a barrister who is an expert in the field. That legal advice has confirmed the initial findings disclosing two specific rights of action for the Parish Council to have the gates and bollards removed. First, there is a right of action under s.41 of the Commons Act 2006 in relation to s.38(5)(b)(ii) of the same Act which says that s.38 applies to any Scheme under the Commons Act 1899. Such a Scheme was put in place in 1911 and the Byelaws relating to Studham Common are made pursuant to that Scheme. The Scheme has a map attached to it (to be found in the National Records Office) specifying the Scheme's geographical scope and that map covers the whole of the land to the north side of Church Road. Thus, the Byelaws apply not just to the Registered Common but to all of the land to the north of Church Road. Secondly, there is a right of action under s.45 of the Commons Act 2006 which allows a parish council to take action to enforce rights in respect of Registered Common. The CBC survey has ascertained that one of the gates and many of the bollards are within the Registered Common and thus the parish council can seek their removal. It is therefore proposed that the Parish Council should advise those who have erected the gates and bollards of these rights and require that they be removed. <i>(Proposed by MP, Seconded by AW)</i>. We hope that sense will prevail and that the matter can be resolved constructively without resorting to legal enforcement. b) Studham Emergency Plan (SEP) – Last year's SEP has now been updated and amended where necessary. This now needs to be approved following one minor adjustment to show that the third	

	defibrillator has now been installed. (AW proposed, CS Seconded). BW explained the purpose of the SEP as an immediate response ahead of emergency services taking over. c) <u>A code of conduct complaint</u> has been received against one of our Councillors and is being dealt with by the relevant personnel at CBC. d) <u>National Association of Local Councils</u> (NALC) – e-mail suggesting the PC may wish to apply for any of the ‘Star Council Awards’ following a mention of the recent Coronavirus working group. It was agreed that no further recognition is necessary.	
6.	Report of the Vice-Chairman – Councillor Poyner. MP advised a Planning meeting is being held Monday 19th April to discuss another two larger applications – Mile Barn Farm, Leighton Buzzard Road & Clements End Farm. a) <u>New Planning Applications to be considered –</u> <u>CB/21/00570/FULL</u> – 40A Byslips Road, Studham, LU6 2ND. – <u>Replacement Dwelling.</u> Acknowledged previous applications – 1st withdrawn; 2nd approved; this application however shows changes to the roof structure. No previous objections were made, all happy with the variations, no material concerns. b) <u>Mobile Telephone Mast</u> – A virtual meeting held on 8th March with various parties concerned. Generic conversation since 2017, four sites have been considered thus far, consideration is being given to how this can be moved forward to reach a sensible conclusion. As part of recent discussions– the playing fields site appears to be the preferred option, however as the Playing Fields is ‘owned freehold by the PC therefore any development would need to be approved by village residents. c) <u>Clements End Farm</u> – Presentation of proposed development on 15th April 2021 following a meeting with Kevin McBride regarding a further development. PC keen to extend assistance with consultation – A forum via Zoom has been arranged for Thursday 15th April @ 7pm for the planning consultant to explain their proposal and be available to respond to any queries. Notification of this event has been circulated by e-mail and some hand delivered notices to properties closer to the location. The proposal is for a large equestrian development. One resident wished to know whether the PC would discuss this development this evening. MP advised that there is nothing to consider at this time, as no application has been submitted. Residents feel this development, whilst anticipated are concerned that it would be allowed on Green Belt/ AONB. Should a formal planning application be submitted the PC will advertise a meeting, consider the content, and respond accordingly. d) <u>Other Matters –</u> I. <u>Section 106 money</u> and possible money available. No update currently. II. <u>Garden Contract</u> – awaiting return of contract as offered, this has been verbally accepted. III. <u>Neighbourhood Plan</u> – MP & BW had held a number of meetings recently to consider the next stages. – More info at APM and next general meeting.	
7.	Report of Councillor Rashid. a) Asset register – Nothing to report. Insurance renewal next moth and neds to be aware of any items which are no longer to be covered, consideration to this must now be covered. MR will recirculate the inventory for Councillors comments. b) Community Fibre Broadband – communications with JP have been circulated. This is to take forward a more reliable/faster broadband service for the village. Subsequently it was established that Michael Stott from Oldhill Wood had also instigated a similar scheme for Byslips Road & Oldhill Wood and possibly extend to the village. The two teams have now been put in touch with each other and hope that this will benefit all. They may need the PC to facilitate support for boxes two and four (Village centre).	
8.	Report of Councillor Shute. a) <u>School Corner</u> – CBC feel the footpath/bollards problems are not their concern. As CS has declared an interest, she is limited in following this up, however she is aware that this is still in the hands of the contractor hence the CBC response. EP offered to follow this up on our behalf. To discuss further at next meeting. b) <u>Rural Police Force</u> - only one PCSO and not been possible to make contact. Written to Inspector Burk and awaiting a response. Studham not recognised on their website. EP advised that Kensworth have a good relationship and contact with Pat Mitchell might be helpful	

9.	Report of Councillor C Smith. a) <u>Highways</u> – Walkabout with CBC planned for end May/beginning June. CS will advise when confirmed. Please advise in advance of any concerns. EP advised a resident from Oakway complained about the footpath. Drains at bottom of Linney Head are not on the list for the gulley cleaning. Pedley Hill – culvert needs major attention but time consuming. Any problems should be posted to ‘Fix my street’ and referenced to CS. b) <u>Playing Fields</u> - (Re Section 106 monies) – a wish list in priority order has been compiled. c) <u>Sports & Social Club</u> –A meeting is being held this evening to include the appointment of a new steward. d) <u>Parish Link</u> - Possibly hard copy end May – June issue. Dependant on delivery persons. e) <u>2012 Jubilee Celebrations Fund</u> -under the auspices of the PC funds were raised for events but as a Quality Council at that time the PC were not allowed to hold the funds, so it was deposited independently with The Nationwide. who now wish to close the account, As the money will be made available for the ‘next Royal event CS proposed the funds (last known value £1,227) be banked with the PC, ringfenced for such events? BW recommended a formal statement from the original fund administrators should be provided as to the understanding of the acceptance and future expenditure. CS has requested written approval from those who were responsible with no objections. f) <u>HGV Traffic on Byslips Road</u> – CS requested EP to establish whether it would be possible for CBC to arrange a traffic count as there have been reports of very large vehicles using this route.	
10.	Report of Councillor L Smith. a) <u>Village Hall</u> – Latex was laid Friday and it is hoped that the top floor will be laid today. With shops now opening curtaining can now be sought. Roof repairs, quotations have now been received but clarification needs to be sought to ensure like/like. Des Salmon has received some additional grant funding so it is hoped this will be undertaken later this year.	
11.	Report of Councillor Wright. <u>Defibrillator</u> – Holywell now fitted and registered. A scheme has established where five people near the defib are called to deliver the unit in an emergency. AW will circulate an email calling for volunteers. First Aid / Training will be arranged post Covid. CS suggested that if Mile Barn Farm development is approved a fourth unit would be desirable – perhaps consider requesting this as part of the planning conditions.	
12.	Accounts for Payment. <u>Requests for payments</u> relating to March was circulated and approved. AW proposed CS Seconded. MP asked if we were still considering online banking. JC advised that following the beginning of the new finance software she will investigate.	
13.	Budget Statement Period 12 <u>Financial statements</u> including an Income & Expenditure report & Bank Reconciliation, relating to period twelve were circulated for information and subsequently approved.	
14.	Correspondence. a) Freedom of Information request received and subsequently responded to, this was however appealed to and this will therefore now be dealt with via the PC Complaints Procedure. BW explained the legal procedure to be followed. b) Request for financial support from Allan Wright. Treasurer, Studham Playing Fields in relation to costs of insurance and maintenance of play equipment. BW Proposed £500, Seconded LS. MP suggested that we should see copy of the insurance documents. AW suggested that we should consider the value of donations in relation to possible costs in the upcoming year. MP suggested that at this point the finances are healthy but should be reviewed in six months. CS added that a RoSPA check is due this year. BW added that the donations last year were significantly lower than in previous years. Resident feels that the equipment is ‘dire’ and feels it is not used as not fit for purpose. CS advised that it is used when cricket & football matches take place but not necessarily by local families. MP advised that most are aware of the problem but expensive to replace. c) Subscription renewal request from Open Spaces Society. (£45) The PC have made use of their services. BW proposed we renew at this time and possibly add a further donation later.	
15.	Report of Clerk. Nothing to report.	
16.	Review ongoing actions list. The Ongoing Actions list was not reviewed this month in consideration of the reduced time allowed.	

17.	Items for the next Parish Link. Items for online edition: Pedley Hill, Fix My Street, Next Meeting. Next meeting – to achieve a virtual meeting before end of legislation it was agreed to reschedule the May meeting to be held on Tuesday 4 th May.	
18.	Items for the next Agenda. Fly Tipping / Rubbish in hedgerows. Insurance. School Corner / footpath.	
19.	Date and time of future meetings. - Monday 19th April 2021 @ 7pm – Virtual Planning Meeting - Tuesday 4th May 2021 @ 7pm – Virtual Annual General Meeting.	Meeting closed 19.52pm