

SIDDINGTON PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING
HELD VIA CONFERENCE PHONE CALL
AT 7.30PM ON THURSDAY 20TH AUGUST 2020

PRESENT

Cllr J Hayward (Chair), Cllr N Anderson, Cllr C Langdon, Cllr A Painter, Cllr M Painter, Cllr A Prosser, Cllr I Smith and Cllr M Turner. Clerk of the Council Mr R Cowley was also present.

1 – APOLOGIES

Apologies for absence had been received from Cllr Deller. Cllr Hayward took the opportunity to report that Cllr Rajan had resigned from the Parish Council.

2 – TO CONSIDER AND APPROVE A FINANCIAL CONTRIBUTION BY SIDDINGTON PARISH COUNCIL TO ENABLE THE CURRENT PATH FROM SPIRE VIEW TO THE CANAL TOWPATH TO BE ADOPTED AS A PUBLIC RIGHT OF WAY AND HAVE IT ADDED TO THE DEFINITIVE MAP.

The Clerk had previously circulated the report from Cllr Hayward below for Councillors to consider.

1. Background.

You will recall that Cllr Shaun Parsons has been trying to persuade the Bathurst Estate to pay for the upgrade works to the permissive path to enable it to be added to the Definitive map as a Public Right of Way (PRoW). Tom Maddox, the contractor who did the upgrade work to the towpath PRoW, has quoted £7,950 plus VAT for the work. Cllr Parsons has secured an offer of £2,500 from the Bathurst Estate. Cllr Parsons has a discretionary budget from GCC and, following the postponement of another project he had agreed to fund from this year's allocation, is able to contribute £3,500 from GCC. It is proposed that the balance of £1,950 be funded by Siddington Parish Council. (All figures plus VAT which would be recovered from HMRC in the usual way).

- 2. Why are we considering spending Siddington Parish Council money in this way?** The main reason for the proposal is that it will create a permanent footpath, maintainable at public expense, between Spire View (and thus also the housing in "north" Siddington) and the school. Once the Severells Field development is complete, there will be a further footpath from the school to Spratsgate Lane and thence to the Chesterton Farm development. The opportunity to create a new footpath is rare and in this case, if not taken now, may not be an available option in the future. Although it is disappointing that the parish will have to make any contribution at all, the GCC/Cllr Parsons contribution is unlikely to be available in a future year, so, if Siddington Parish Council decided to defer its decision, that element of the funding would probably be lost.

- 3. Where will the Siddington contribution come from?** We have reserved £6,000 from previous years to pay for an ANPR (Automatic Number Plate Recognition) camera to help deter speeding in Ashton Road. These cameras are not currently being deployed by councils because of the doubt cast on their legality. (The cameras store the data of all the cars that pass them – some 60 million recordings daily from existing cameras -

and that is considered a possible breach of privacy laws). Given the uncertainty regarding the use of these cameras, it is unlikely that we will be able to purchase and deploy one in this (and quite possibly in the next) financial year.

4. **Do we have the power to spend parish council money in this way? We believe we do. The Highways Act 1980 section 30 Dedication of highway by agreement with parish or community council** states:

(1) The council of a parish or community may enter into an agreement with any person having the necessary power in that behalf for the dedication by that person of a highway over land in the parish or community or an adjoining parish or community in any case where such a dedication would in the opinion of the council be beneficial to the inhabitants of the parish or community or any part thereof.

(2) Where the council of a parish or community have entered into an agreement under subsection (1) above for the dedication of a highway they may carry out any works (including works of maintenance or improvement) incidental to or consequential on the making of the agreement or contribute towards the expense of carrying out such works, and may agree or combine with the council of any other parish or community to carry out such works or to make such a contribution.

(Section 329 states “footpath” means a highway over which the public have a right of way on foot only so the above powers are for all forms of highway, including footpaths)

5. **Why is Bathurst Estate not contributing more?** Neither the Estate nor Bloor Homes have a legal obligation to contribute anything. It appears that the opportunity to force the issue was lost during the Bloor planning application stage. Cllr Parsons has pushed the issue as far as he can. Although they have not in any way linked the two issues, by way of what the parish might consider to be mitigation, the Estate is proposing to give the parish/church some land adjacent to the graveyard for further grave space. There are a number of hurdles to overcome to achieve this – Environment Agency for one – but we believe that there is a genuine intention to help the parish in that regard.

After some discussion, the Parish Council agreed to provide the funding to complete the work on the path, provided that it would be added to the Definitive Map as a Public Right of Way.

As there was no further business, the Chairman thanked members for attending, and the meeting closed at 7.40pm. The next meeting would be at 7.30pm on Tuesday 8th September 2020.

Chairman