

North Runcton Parish Council

Minutes of the Extraordinary General Meeting of North Runcton Parish Council held at the Village Meeting Place

Monday 14th March 2016 7.45pm

Present: Cllr Rick Morrish (Chair), Cllr Kerry Fuller, Cllr Ann Towler, Cllr Paul Yallop, Cllr Jeremy Fuller, Cllr John Sherry, Cllr Gill Sergeant, Cllr Amanda Dobbing, Cllr Barry Houchen

7 members of the public were also present

1. Apologies for absence

None

2. Declaration of Interest / Dispensation in items on the Agenda

None

3. To confirm the mechanism of holding a ballot

Cllr Morrish explained that since the Parish Council agreed to offer all residents of the Parish a way to voice their views on the signing of the easement with the SDA, the process has been referred to as a 'ballot'. The Borough Council had advised that a formal 'ballot' or 'parish poll' would need to be co-ordinated/administered by them (with an associated cost in excess of £2,000 or more). The PC had agreed that such a cost was unacceptable and had planned an alternative mechanism similar to a ballot to be run by the Clerk at little cost. This idea was initially approved by BCKLWN and NALC (subsequently agreed at the meeting of the Parish Council on 8th March). Advice has since been received that this process would be in conflict with various legislation, namely the Local Government Act 1972, the Representation of the People Act 2000, the Human Rights Act and Data Protection Laws. Therefore at this meeting an alternative method of consulting with Parishioners will be discussed. The main goal of the PC is to ensure that all residents in the Parish have the opportunity to express their view on the matter of the easement.

Cllr Morrish asked the Council to confirm that they were happy to proceed with seeking an alternative method and the majority agreed. It was agreed to call it a 'survey'.

The Clerk had prepared draft documents to be sent to all properties in the Parish, asking the question 'Should the Parish Council grant the Seventh Day Adventists (or future owners) vehicular and pedestrian rights of way over a section of School Lane?' At the 8th March 2016 meeting the Council discussed whether the word 'pedestrian' should be included. Cllr Morrish has since had confirmation from the solicitor that 'being a bridle path means that there is a public right of way on foot. However the easement specifically grants private rights of way (pedestrian and vehicular) for access to and from the SDA site. Although there is an overlap between private rights of way and public rights of way they are in fact different things. So that for example if the public right of way was to be stopped up for any reason the private right of way would still continue by virtue of the easement. Technically therefore there should be a grant of both pedestrian and vehicular rights'. The Council agreed to the wording of the question to contain the word pedestrian.

Residents would be asked to show their answer on the survey paper, either Yes or No. There was some discussion as to whether a third option of 'indifferent' should be offered, but the majority of the Council voted not to include it. It was agreed there would be a choice as to how residents send this response to the Parish Council, either bring it to the VMP at an agreed time, post it back to the Clerk or scan and send via email.

The Council agreed that this survey be sent to all properties in the Parish. Clerk will send copy to NALC to confirm the wording and content is acceptable.

4. To agree supporting information

Cllr Morrish read out a draft document of supporting information, some minor amendments were made. The Council agreed the wording of the document to accompany the survey. Cllr Sherry to confirm the wording of one of the bullet points in the section entitled ‘If the Parish Council did not negotiate an easement’. The PC solicitor will also check the final draft.

5. To agree a deadline date for surveys to be returned

The Council agreed on 3 options for returning of the completed surveys: Bring in person to a coffee morning held on the 9th April 10am – 12pm at the VMP; send by post; or, send by email to the Clerk no later than 9th April.

6. To agree distribution arrangements for the survey

The Council agreed that Councillors will distribute the surveys in envelopes to each property in the Parish the weekend of the 19th/20th March. Clerk to organise printing etc.

Meeting closed at 9.35pm

Signed Date 12th April 2016