

FORSBROOK PARISH COUNCIL

MINUTES OF COUNCIL MEETING HELD ON MONDAY 20TH DECEMBER 2010 AT BLYTHE BRIDGE AND FORSBROOK VILLAGE HALL.

MEMBERS PRESENT: Councillor Mrs. G. Burton (Chairman),
Councillor J. W. Burgess,
Councillor S. P. Fox,
Councillor P. Jones,
Councillor A. J. Mould,
Councillor Mrs. P. Shufflebotham,
Councillor Mrs. N. A. Stanier,
Councillor Rev. B. L. Whittaker,
Councillor A. E. Wilson.

IN ATTENDANCE: Mrs. C. J. Snape (Clerk),
Members of the public (2),
Press Officer.

1. APOLOGIES FOR ABSENCE.

Apologies were received from Councillor Mrs. S. M. Edwards, Councillor Miss S. Farr, Councillor Mrs. S. A. Harrison and Councillor B. Yates.

2. DECLARATIONS OF INTEREST.

Item	Member declaring interest	Nature of interest
SCC Rights of Way Issues	Councillor Mrs. P. Shufflebotham	Personal – Daughter employed by SCC in the Rights of Way Department.
SCC Highway Issues	Councillor P. Jones	Personal – SCC Highway Officer Mary Anne Raftery – personal friend.

Standing Orders were suspended.

3. OPEN SESSION.

3.1 Residents Issues.

3.1.1 Mrs. June Bassett, 18 Springfield Drive, Forsbrook.

Mrs. June Bassett thanked Councillors for all their efforts and hard work in 2010.

3.1.2 Mr. Michael Shufflebotham, 9 Penk Road, Forsbrook.

Mr. Michael Shufflebotham raised the following issues:

- (a) How many fixed penalty tickets have been issued in the Parish of Forsbrook to motorists who have been caught by the Police for causing an obstruction?
- (b) What legislation states that it is not illegal for motorists to park vehicles partly or wholly on the pavement?
- (c) Is there any progress with the provision of a pedestrian crossing in Forsbrook?

Chairman Councillor Mrs. G. Burton suggested writing to Inspector Neil Sherratt regarding the number of fixed penalty tickets issued. **Agreed.**

She suggested that the Road Traffic Act might provide information with regard to legislation concerning pavement parking.

For reference purposes detailed below is extract from the **Road Traffic Act 1988 Section 34.**

“Prohibition of driving motor vehicles elsewhere than on road.

(1) *Subject to the provisions of this section, if without lawful authority a person drives a motor vehicle –*

(a) on to or upon any common land, moorland or land of any other description, not being land forming part of a road, or

(b) on any road being a footpath or bridleway,

He is guilty of an offence.

(2) *It is not an offence under this section to drive a motor vehicle on any land within fifteen yards of a road, being a road on which a motor vehicle may lawfully be driven, for the purpose only of parking the vehicle on that land.*

(3) *A person shall not be convicted of an offence under this section with respect to a vehicle if he proves to the satisfaction of the court that it was driven in contravention of this section for the purpose of saving life or extinguishing fire or meeting any other like emergency.*

(4) *It is hereby declared that nothing in this section prejudices the operation of –*

(a) section 193 of the (1925 c 20.) Law of Property Act 1925 (rights of the public over commons and waste lands), or

(b) any byelaws applying to any land,

or affects the law of trespass to land or any right or remedy to which a person may by law be entitled in respect of any such trespass or in particular confers a right to park a vehicle on any land.”

Chairman Councillor Mrs. G. Burton referred members to minutes dated 15th November 2010 – Page 109 agenda item 6.1 which detailed the response from Staffordshire County Council Officer David Greatbatch to several highway issues raised by Council including the need for a pedestrian crossing in Forsbrook. She suggested that Council and residents continue to lobby Staffordshire County Council and County Councillor W. Day.

3.2 County Council Report.

In the absence of County Councillor W. Day there was no report.

Standing Orders were reinstated.

4. INFORMATION AND REPORTS FROM REPRESENTATIVES ATTENDING 'OUTSIDE' MEETINGS'.

4.1.1 Moorlands Partnership Environmental Enhancement Grants.

Councillor A. J. Mould reported that the Moorlands Partnership Board has approved Forsbrook Parish Council's application for a grant for closing a former cemetery entrance with a matching stone wall on 14th December 2010. A grant of up to £1,175 or 50% of the eligible costs, whichever is the lesser, is offered.

4.1.2 Staffordshire Parish Council's Association - Executive Committee.

Councillor J. W. Burgess said that he believed there were vacancies on the above committee and as we were not represented wondered if Council would agree to nominate him. **Agreed.**

5. TO APPROVE DRAFT MINUTES OF: Council Meeting of 15th November 2010.

RESOLVED:

- **To approve and sign the minutes as a correct record.**

6. MATTERS ARISING FROM MINUTES.

6.1 Minutes dated 15th November – Page 109 – agenda item 6.1.

Staffordshire County Council – subject: Highway Issues.

To receive and note further information regarding the Divisional Highway Programme.

“The development of the Divisional Highway Programme allows the Highways team and the County Councillor to assess the local priority of many competing demands for action, in order to allocate resources for the investigation of individual highway concerns.

Twice a year the local County Councillor leads a review of progress and priorities – keeping the programme in balance and responding to local needs and financial realities.

It is the intention to carry out all the necessary investigations, which have been prioritized through the DHP within the financial year. Any engineering measures which are identified through the investigation would subsequently have to be prioritised for action against appropriate and available budgets.

If the measures are relatively small and easily deliverable, e.g. isolated dropped crossings, small traffic management or improvement schemes (say under £10000), then these could be delivered through the County Councillors influence over the highway service and within relatively short timescales.

If the measures are relatively large, e.g. pedestrian crossings, junction realignments, traffic calming, then these schemes must go forward to be considered for Local Transport Plan funding. The criteria laid out in the Local Transport Plan can be found on the Staffordshire website but include objectives such as accident reduction, increased accessibility for pedestrians and economic regeneration.

A scheme is currently being designed to address the problems experienced at the Uttoxeter Road/Cheadle Road/Stallington Road junction in Blythe Bridge and has already been justified in terms of improving pedestrian accessibility. County Councillor Day has requested that this design also considers the Parish Council's request to change the road alignment to reduce congestion at this location. The design process has already determined that, due to the volume of traffic utilising the junction, neither a mini roundabout nor traffic signals would improve the overall capacity, safety and accessibility at this location."

Chairman Councillor Mrs. G. Burton said she was disappointed that Staffordshire County Council has ruled out a mini roundabout and traffic signals but suggested the scheme be discussed at length when full design details are available.

6.2 Minutes dated 15th November – Page 110 – agenda item 6.2.

Staffordshire Police – subject: Vehicles parking on the pavement.

To receive and note the following response from Inspector Neil Sherratt, Cheadle Neighbourhood Policing Inspector.

"Thank you for your letter dated 19th October 2010 concerning the issue raised by Forsbrook Parish Council concerning vehicles parking on the pavement. I understand that parking on pavements has been raised as a concern on a number of previous occasions and action has been taken by both the police and by the local authority.

Concerning the question "is it illegal for motorists to park vehicles partly or wholly on the pavement" the answer is no, it is not an absolute offence to park a motor vehicle on a pavement. However, offences can be committed concerning the parking of a vehicle and these can apply to wherever the vehicle is parked, pavement, roadway or any public highway. The offence of unnecessary obstruction could apply to parking on a pavement as it could to parking on a road or any public highway. Each incident would need to be judged on its' own merits, however a general common sense approach would be, can the highway (which would include a pavement) continue to be used or has an unnecessary obstruction been caused.

Many of our roads, especially those around housing estates were not designed for the quantity of motor vehicles many modern families now have. This results in people having to park on the roadway outside the home. There is always a balance to be achieved whereby parking partly on the pavement allows a free flow of traffic in the roadway. I think a sensible approach is required as long as people do not have to walk in the road due to parking on the pavement. Where a pavement is blocked, the police can issue a £30 fixed penalty for unnecessary obstruction.

If you could indicate which areas you feel need police attention, I will be more than happy to direct my officers to give attention to these areas and if necessary give advice or issue fixed penalty tickets for the offence of unnecessary obstruction."

Chairman Councillor Mrs. G. Burton suggested that details – registration number, time etc. of any vehicles causing an obstruction be passed on to the police to enable them to take the necessary action.

7. CLERK'S REPORT.

- 7.1 To receive and note – agenda enclosures, correspondence outgoing and emails not detailed as separate agenda items.

7.2 To note dates of 'outside' meetings as follows:

Staffordshire County Council – Watchdog Forum:

Monday 24th January 2011
 Monday 4th April 2011
 Monday 4th July 2011
 Time: 10.00-12.00
 Venue: St. Edwards Church, Leek.

Parish Assembly Meeting (rescheduled from 2nd December 2010) – 27th January 2011 in the Council Chambers, Moorlands House, Stockwell Street, Leek. Networking from 7.00pm. Meeting commences at 7.30pm.

7.3 To receive the following circulation material:

- NALC – Direct Information Service Issues 747, 748 and 749.
- Link Staffordshire – Issue 2.
- Staffordshire Wildlife Trust Newsletter.
- Rural Service Network Newsletter.
- Neighbourhood Watch December Newsletter.
- Staffordshire County Council – Bus and Rail Timetables.
- Local Council Review Winter 2010.
- Staffordshire 3rd Section Network E-Bulletins.
- Wildlife Trust Publication.
- Came & Company – Autumn Newsletter.
- Affordable Rural Housing – A practical guide for Parish Councils.
- Staffordshire Parish Council's Association – Newsletter December 2010 (Copy distributed to Councillors and Chairman Councillor Mrs. G. Burton referred members to the front page which included an article on the achievements of Forsbrook Parish Council over the last few years).

8. CORRESPONDENCE:

8.1 Staffordshire County Council – Subject: Watchdog Alerts.

The latest watchdog scams were received and noted.

8.2 Staffordshire County Council – Subject: Licence to Plant – Cheadle Road/Blythe Mount Park Junction.

It was noted that residents are not permitted to sign a Licence to Plant agreement. This should come under the remit of the local Council. It was also noted that the clerk has asked Staffordshire County Council to look into this further as the agreement to place planters on the grass verges was given directly to residents by Staffordshire County Council Highways Officer Rob Steele and County Councillor Bill Day.

8.3 Staffordshire County Council – subject: Community Focus for Ice Busters.

To receive the following information from Mike Maryon, Staffordshire County Council Cabinet Member for Highways and Environment with regard to gritting.

“I have received a lot of feedback from my recent letter about winter operations and it is encouraging to see that communities are interested in engaging in self help for winter conditions. This would certainly help vulnerable people in the community and the substantial impacts on them.

Therefore this follow up letter is to clarify how we believe we can help you if you decide to assist the community by treating footways that we simply cannot get to because of the resources required, if we have severe weather this year or in the future.

If you are willing and able to undertake this, the next step is for you to contact your community liaison manager (who is listed below) who will be delighted to make arrangements with you, when they are aware of what area you would like to clear, who would do it, where the grit will be stored and how it would be organised.

Naturally there are concerns over the ability to restock grit bins and the like but we have doubled our salt stock and I am confident that barring an even worse winter than last year we will continue our normal high level of service”.

Chairman Councillor Mrs. G. Burton said that in view of the above the offer of the services of the Parish Council’s contractor Andrew Scott from Town and Country Services to help to replenish the grit bins when empty was not required.

8.4 Came & Company – subject: To Grit or Not To Grit.

The advice from our Insurance Company with regard to the above was noted.

8.5 Staffordshire Moorlands District Council – Subject: Review of Polling Districts and Polling Places 2010.

To receive and note the results of the above review which reports that the William Amory Primary School site is best suited to accommodate the extra traffic generated for three polling stations serving approximately 2900 electors and that the Egerton Centre has been dismissed due to the lack of parking facilities.

8.6 Blythe Bridge and Forsbrook Historical Society – subject: Lest We Forget Project.

To receive and note the report on the above project which Councillor Mrs. Gill Burton and Councillor Mrs. Sheila Edwards have financially supported from their District Council allowance.

8.7 Peak District Rural Housing Association – subject: Annual Report.

To receive the above report and to note that Alison Clamp the Area Manager is willing to attend a Parish Council meeting to speak on the aspect of their work.

8.8 Arch (North Staffs) Limited – subject: Donation.

To receive Certificate of Support for the donation and to note that it is greatly appreciated by homeless and disadvantaged people in North Staffordshire.

8.9 Stafford Borough Council – subject: Stafford Borough Local Development Framework – Delivering the Plan for Stafford Borough – Local Choices.

To note that the above consultation runs from November 2010 to January 2011. Any comments to be made by Friday 28th January 2011.

8.10 Rural Services Network – subject: The Big Society.

To receive and note the analysis of a recent survey on the above.

8.11 Navigus Planning – subject: Journal of Local Planning.

To note that the above publication is available for an annual subscription of £50. At the moment the publication is planned to be released four times a year. The first edition has been supplied free of charge. It was **agreed** not to take advantage of this offer at the moment.

8.12 Staffordshire Moorlands District Council – subject: Conservation Areas.

To receive the following update regarding the above from Staffordshire Moorlands District Council Conservation Manager Christopher Drage.

“Further to your letter of 19th October to M Green concerning the review of Conservation Areas. Apologies for the delay, but your letter has finally been passed to me for a response. My report was to be considered by the Councils cabinet in September, but was sent back to me for additional detail to be added. I have now done this and the report will go to Cabinet shortly. As soon as I am aware of the date I will let you know.”

8.13 Staffordshire County Council – subject: Resurfacing work.

To receive the following response from Staffordshire County Council Community Highway Liaison Manager David Greatbatch on recent concerns regarding slurry seal treatment on footways.

“I have just spoken with one of the officers dealing with the slurry seal contract and am now aware that the problem I referred to as having occurred in the past is occurring again (the slurry material not going off as quick as it should).

The issue is a known one and I understand that residents reporting problems will be dealt with as required. For those who have not yet reported their concern the advice given in my original e-mail still applies although I also believe they can speak to the operatives on site who will, wherever possible, try to resolve the matter”

Note: Residents are to be directed to the highway hotline: 0300 111 8000.

8.14 Staffordshire Parish Councils Association – subject: Various Issues.

To receive and note updates and NALC legal briefings.

(Note: The above documents are available to view by Councillors and members of the public).

8.15 To receive and note general correspondence and to agree action as required.

Letters

East Midlands Trains

Staffordshire Office of the Lieutenancy

Local Government Boundary Commission

Subject:

Blythe Bridge Railway Station – thank you for work carried out at the Station.

The Queen’s Jubilee 2012.

Electoral Review of Staffordshire.

Email Exchanges:

Staffordshire Police:

Vandalism to flower planter in Forsbrook.
 Vehicle obstruction – Portland Drive.
 Neighbourhood Watch Alerts.
 Online Watch Newsletter.
 Blythe Bridge Railway Station.
 Links for SMDC meetings.
 Christmas Wishes.
 Invite to Council Meeting.
 Grit Bins.
 Request for litter collection.
 Interment fees.

Community Rail Partnership Officer
 Staffordshire Moorlands District Council
 Andrew Turner, SMDC
 Mrs. Dawn Plant, SCC
 SCC (Highway Reports)
 Staffordshire Moorlands District Council
 J. Hammonds

9. PLANNING.

9.1 Planning Applications:

01046/FUL – Mount Pleasant Farm, Cheadle Road, Boundary – portal framed agricultural building (retrospective).
 01077/FUL – The Coach House, The Limes, Cheadle Road, Blythe Bridge – detached double garage.

RESOLVED:

- **To respond to the above planning applications as follows:**
01046/FUL – To raise no concerns providing the scale, design and use of the building are in keeping in this green belt location.
01077/FUL – To highlight what Council considers to be over development of this plot.

9.2 Planning Approvals:

The following planning approvals were noted:

00742/FUL – The Limes, Cheadle Road, Blythe Bridge – conversion of 1no. dwelling to 2no. dwellings with a two storey and single storey front and single storey side extension.
 00851/FUL – 30 Barlstone Avenue, Blythe Bridge – proposed front bay window.
 00907/FUL – 63 Bridgwood Road, Blythe Bridge – communal parking area.

9.3 Planning Refusals:

The following planning refusal was noted:

00821/FUL – Roshni Restaurant, 19 Cheadle Road, Forsbrook – installation of a stainless steel extractor fan duct (retrospective).
Reasons: It is considered that the external extractor fan duct by virtue of its design, specification, siting and location will have an adverse impact on the appearance of the existing building and the streetscene, as well as the residential amenity of neighbouring occupiers. The existing duct in its current form has insufficient mitigating measures to prevent its harmful appearance on the visual amenities in the area and occupiers of nearby properties from excessive odours. The scheme is thus contrary to the provisions of policy B13 of the Staffordshire Moorlands Local Plan as well as policies

D1 and D2 of the Staffordshire and Stoke-on-Trent Structure Plan and national planning guidance in the form of PPS.23 'Planning and Pollution Control'.

9.4 Planning matters.

38 Dilhorne Road, Forsbrook.

It was noted that the caravan (parked on agricultural/green belt land adjacent to the above property) has reappeared. It was **agreed** to monitor this over the next couple of weeks and report to Staffordshire Moorlands District Council if it has not been removed.

10. CEMETERY:

10.1 Cemetery Report.

Councillor Mrs. P. Shufflebotham, Chairman of the Cemetery Committee said she had no matters to bring to the attention of Council.

10.2 Cemetery Issues.

No cemetery issues were raised.

11. ENVIRONMENT:

11.1 Environment Report.

Chairman Councillor Mrs. G. Burton (Chairman of the Environment Committee) reported that there appeared to be an increase in vandalism/criminal damage Friday nights/Saturday mornings and the police have been requested to pay the area attention.

11.2 Environment Issues.

Issue	Action
Cheadle Road, Forsbrook and Blythe Bridge – dangerous potholes in various locations along this stretch of road.	Report to Staffordshire County Council Highway Defects Department.
Chapel Street, Forsbrook – sunken utility cover.	Report to Staffordshire County Council Highway Defects Department.
Uttoxeter Road/The Avenue, Blythe Bridge - dangerous pothole.	Report to Staffordshire County Council Highway Defects Department.
Uttoxeter Road, Blythe Bridge (adjacent to Blythe Bridge Railway Station – sunken utility cover.	Report to Staffordshire County Council Highway Defects Department.
Chapel Street, Forsbrook – adjacent to The Wine Shop – damaged kerbstones.	Report to Staffordshire County Council Highway Defects Department.
Brookgate – replacement grit bin.	Report to Staffordshire County Council Highway Defects Department.
Cheadle Road, Forsbrook – parking on yellow lines.	Chairman Councillor Mrs. G. Burton said she would bring this to the attention of the District Council Parking Enforcement Department.

Mount Road, Forsbrook – sunken utility cover.	The clerk said that she has already reported this twice and provided with a reference number (4623305) and would chase this up.
Crossfield Avenue, Blythe Bridge – bottles/cans/litter being deposited in the grit bin.	Councillor J. W. Burgess suggested that the removing of the debris should form part of the litter collector's duties. Chairman Councillor Mrs. G. Burton suggested residents monitor the situation to try and ascertain who is dropping the litter in the grit bin.
Permanent Travellers Sites in Staffordshire Moorlands.	Councillor J. W. Burgess advised that Staffordshire Moorlands District Council is looking at providing permanent sites for Travellers. Chairman Councillor Mrs. G. Burton said that all planning applications are judged on their own merits and Councillors can voice their own opinions as and when applications are before Council.
Uttoxeter Road Car Park – broken fence panels.	Councillor P. Jones said he would have a word with who he believed to be the owner of the fence.

12. FINANCE:

12.1 Bank Balance

It was noted that the bank balance as at 30th November 2010 was:

Community Direct Account	37315.18
14 Day Account	57753.31
Outstanding debits	(200.93)
Total	94867.56

12.2 December 2010 accounts.

The following accounts were submitted for payment:

Cheque No.	Supplier	Net	VAT	Gross
402030	S.M.D.C.	128.00	22.40	150.40
402031	E.on	522.74	91.48	614.22
402032	Heath House Farm	254.35	44.51	298.86
402033	Christine J. Snape	878.95		878.95
402034	Christine J. Snape	247.27	25.00	272.27
402035	HM Revenue and Customs	833.07		833.07
402036	Town and Country Services	622.00	108.85	730.85
DD	Eon	38.09	1.91	40.00
DD	British Telecom	114.98	20.12	135.10
Total		3639.45	314.27	3953.72

RESOLVED:

➤ **To approve payment of December 2010 accounts.**

- 12.3 It was noted that the Internal Auditor David Ingman will no longer be carrying out Parish Council auditing in the Staffordshire Moorlands area and a new Internal Auditor will need to be appointed.

Chairman Councillor Mrs. G. Burton proposed writing a letter of thanks to Mr. David Ingman and to contact Staffordshire Parish Council's Association to see if they have a list of recommended Internal Auditors. **Agreed.**

13. COMMITTEE MEETINGS:

It was agreed to hold Committee meetings to set precepts for year 2011/2012 on Tuesday 4th January 2011 commencing at 7.30pm.

The meeting concluded at 8.45pm.

Clerk to the Council

Chairman.