

# **Broomley and Stocksfield Parish Council.**

## **Minutes of the Meeting held on Monday 5th June 2006**

Present: Councillors Sayce, Barwick-Bell, Chainey, Davison, Porter, Wade, Warhurst-Walker. Mrs M Williams, Clerk

Also present: County Councillor Ray Thompson, District Councillor Mrs A Dale, Insp. K Brayshaw, Sgt M Quinn from Northumbria Police, Prudhoe, Mrs E Sinnamon, Solicitor, Tynedale Council, Helen Compson, Hexham Courant

**Apologies:** Councillors Drew, Hall, Hedley, and Martin, District Councillor Mike Collins

### **06/18 Declarations of Interest - None**

### **06/19 Minutes**

The Minutes of the AGM held on 8th May were agreed as a true record with the addition of Mrs Drew's name to those forming a working group to discuss NE43 News.

### **06/20 Matters Arising**

MUGA - following a request that David White of Tynedale look at the multisports area with a view to reporting on its safety for use or otherwise, nothing further had been heard. It was noted that should he advise that the area was unsafe to use then the Parish Council would need to take appropriate action.

There were no further matters arising.

### **06/21 Correspondence**

The correspondence received since the May meeting and that deferred to the June meeting from April had been listed on the agenda and was noted:

Audit - a letter had been received from the auditors BDO Stoy Hayward outlining the timetable for the 05/06 audit.

NSP - Belonging Communities - it was agreed to make no further comment on this matter.

Charter 88 - it was agreed to write advising that we have contacted our MP and saying we believe that he has already signed the Early Day Motion.

NCC - Integrated Transport Programme 07/08 - County Councillor Thompson agreed to seek clarification on the column headed "Status" in this document as it was unclear as to whether works requested had in fact been completed or were programmed for this or future years. Councillors were asked to advise Mrs Barwick-Bell of any comments they might have on this programme and the Planning & Highways Group will look at the parish as a whole and compile an up-dated list.

Councillor Thompson advised that no decision had yet been made about the parking problems at Branch End. He said that suggestions had been made about possible solutions to the problems at Birches Nook and if all agree then these proposals will go ahead.

Northumberland National Park - Parish Pride - Public Rights of Way. - Malcolm Chainey is to draft a response.

Northumberland County Council (06/04/06) Integrated Transport Priorities 06/07 - Councillors wondered why it appeared that in some parts of the country councils were able to implement measures that Northumberland were apparently unable to use in relation to speeding traffic. The Planning and Highways Group are to look at this issue. District Councillor Mrs Dale advised that no formal written complaints had been made to the police with regard to the speed of traffic on the A695. It was agreed to write formally to the police raising concerns about the speed of traffic on the A695.

DEFRA - Clean Neighbourhoods & Environment Act - it was agreed to take no action.

## **06/22 Byelaws for Play Areas**

Mrs Sayce welcomed Mrs Elizabeth Sinnamon, Deputy Solicitor Tynedale, Inspector Brayshaw and Sgt Quinn to the meeting. Mrs Sinnamon was attending the meeting in place of Andrea Barker who had family commitments. Mrs Sinnamon was to discuss the areas to be aware of when requesting the introduction of byelaws.

Items to consider are:

- The Open Spaces Act of 1906 allows byelaws to be brought in to control the opening times of play area.
- Can the play area be physically closed.
- The rights and needs of all users of the play area must be considered.
- Resources - an officer would have to be appointed to take enforcement action and would have to be appropriately trained. (See the ODPM - now Department for Communities & Local Government - website)
- Police can enforce a bye-law - in the past the police had suggested to the Parish Council that a bye-law would be helpful to enforce control of the use of the play area.
- Is a bye-law appropriate and proportionate - could its introduction breach human rights legislation
- Art.14 discrimination - particularly age
- Art.11 Freedom of Assembly and Association
- Art.8 Right to Respect of Private & Family life
- Health and safety of users is also an aspect to consider.
- Bye-laws should be broad enough to cover all eventualities.
- Would a bye-law prevent disorder
- Introduction of a bye-law must be a reasonable measure
- Bye-laws have to approved by the DCLG and can only be introduced following consultation with the public and police.
- Requests for the introduction of byelaws have to be supported by robust evidence and probably the police logs. It was pointed out that over many years the Parish Council had evidence of disruption and disturbance at play areas. It was suggested that a diary/log be kept for six months recording incidents and evidence to support the request to introduce a bye-law.
- Consideration has to be given as to where young people causing a nuisance might meet if the play areas are closed.
- Currently the play areas are closed at 9.30 p.m.
- Bye-laws have to be sealed by the Parish Council,
- Advertised in the local press
- Sent to the DCLG, Objectors may have to be negotiated with
- There may have to be a public enquiry
- The Parish Council may need to take specialist advice.
- The introduction of bye-laws may involve the Parish Council in huge costs
- DCLG website has a model bye-law. Any deviation from the model must be checked with the DCLG.
- Tynedale is not aware of any parish council that has introduced bye-laws.
- Should a bye-law be introduced and it is decided to enforce it, then the Parish Council must take the procedure to court and be aware that this again could involve costs.

- It could take 6-12 months to put a byelaw in place.

There followed a discussion during which the following points were raised:

- What is the difference between existing police powers and introducing a bye-law.
- Because young people are able to communicate by mobile phone, any disorder stops once they are aware that the police are in the vicinity.
- There had been no logged calls to the police regarding problems at Kate's Plain or Branch End Play Area since October/November 2005
- The Parish Council wants the integrity of the play equipment at the play areas maintained and does not want the areas strewn with litter and broken glass.
- It was usually quieter in the summer and matters get worse again in the autumn. There is a need to balance perceptions of disorder. When police arrive following a report, there is no disorder.
- Is it possible to introduce bye-laws as a preventive measure - the OPDM might not favour this approach and checks would have to be made.
- There is a need to pursue the introduction of a "Code of Conduct" at the play area as discussed by the Kate's Plain Working Group. It was stated that currently young people are not using the play area in large numbers and for this reason the introduction of a code of conduct had not been pursued. A lot of people are committed to the Kate's Plain Working Group and are disappointed that the code of conduct had not been taken up.
- There is a need to foster good relations with all concerned.
- The Parish Council is trying to prevent a recurrence of past problems and to find a way forward.
- Any process must be "reasonable".
- Youth workers are on standby. The Police do not want a recurrence of the problems last year.
- Buying alcohol under age is the offence, not drinking alcohol.
- If young people are moved on from the play area, where do they go.
- How are Alcohol Designation Zones enforced - they do not prohibit drinking in public but do give police powers to act when there is disorder.
- It would not be foolish to collect evidence. There is a need to keep good records of alleged incidents and to keep the police informed.
- It was noted that there had been criminal damage to the Kate's Plain fence and also at the station.

Mrs Sayce closed the discussion by thanking Mrs Sinnamon and the police representatives for attending the meeting.

It was agreed that Councillors would discuss the introduction of bye-laws for the play areas at the July meeting.

### **06/23 Finance**

The Accounts for May were approved.

Payment of additional cheques to

NALC - £277.64

Neat Ideas - £65.39 was approved.

The Budget v Income & Expenditure Report was accepted.

### **06/24 Public Participation**

A concern had been raised about the flower bed at the foot of the planter at the junction of the Hedley Road and New Ridley Road being taken out. It was noted that a decision to take out this flower bed had been taken in the late autumn.

Planting etc. will be discussed at the next Footpaths & Environment Group meeting which should take place during June.

Salt Bins - the salt bin at the junction of New Ridley Road/Painshawfield Road is blocking the footpath and it is difficult to get past with a pushchair. The salt bin at the bottom of Birches Nook Road needs replacing.

Parking - concerns had been raised about parking near the Cricket Club on recent occasions. It was reported that on Sunday mornings recently cars had been parked on the pavement blocking the pavement for use by pedestrians and others. This matter is to be taken up with Sportsfield users.

## **06/25 Brief Reports from Advisory Groups and Council Representatives**

### **a) General Purposes Group**

Nothing to report.

### **b) Parish Plan**

Mrs Sayce reported that the Parish Plan meeting on 15th May was attended by representatives of various organisations e.g. Plants and Gardens, SICA, Retired Men's Association etc.

Three theme groups were asked to meet and report back by 26th June on:

specific questions to put to residents on their theme

methods to obtain a wide response.

Themes are : Development of Merryshields area for leisure use

Services/facilities for the elderly

Traffic and parking

Peter Duncan, resident in Painshawfield Road and a Director of Social Regeneration Consultants, had agreed to join the Steering Group. Clive Fagg, resident in Guessburn and formerly the Local Agenda 21 officer for Northumberland CC, was also willing to help.

The next meeting of the Steering Group will be in July.

### **c) Footpaths & Environment Group**

Nothing to report - the group will meet before the July meeting of the Parish Council.

### **d) Play Facilities Group**

Mrs Davison advised that it had not been possible to have a meeting with Sean McCready and it was agreed that this route should be pursued no further.

It was agreed to ask Nick Shilling of Thompsons to clarify his thoughts for levelling the play area so that parish councillors were able to understand the concept. Should it be agreed to carry out levelling of the site, then the County Council will need to be informed.

The Council needs to consider what authority Mrs Davison and/or other Councillors will need to be given in order to progress the BEPA proposals between the beginning of July and the end of August.

During May, a letter from SITA Trust had been received enclosing a Funding Agreement. The meeting ratified the signature by the Chair of the Parish Council of this Agreement and noted that responsibility for the management of the project in relation to the SITA funding now lay with the Parish Council.

BEPA self-closing gate - there continue to be problems with this gate and it was agreed not to send the payment for the work until a meeting could be held with Direct Fencing.

BEPA Sensory Garden

After some discussion it was agreed that in view of the likelihood of work being done in Branch End Play Area this summer, it would not be possible for this project to go ahead in the immediate future. It was however agreed that once the plans for BEPA had been finalised and the work completed this idea for a sensory garden should be revisited with a view to undertaking this work before next summer. It was felt that a sensory garden would enhance the facilities currently available at Branch End.

#### e) Sports Facilities Group

Mrs Sayce reported that the MUGA Group had met twice to try and advance the grant applications.

A letter had been sent to all users of the sportsfields, and also to readers of SCAN, and some responses had already been received. Approaches were also being made to local businesses, especially those whose staff might like to use the facility.

Ideas for day-time use of the MUGA were being sought, e.g. for disabled groups and unemployed.

At the second meeting the group were being advised by Stewart Leason of the Northumberland Football Association who will process the application on to the Football Foundation. He covered issues such as ensuring that annual income is adequate for a suitable sinking fund (10 year life-span for the surface), child protection policy, viable plans for increasing participation etc.

The application to the Football Foundation has to be made by EITHER the Parish Council OR the Cricket Club, not the MUGA group as it is not registered for VAT. Mr Leason said neither will carry more weight than the other. If the Cricket Club were to apply, there would need to be a chain of leases:

i Allendale Estate to PC for part of the land in question.

ii PC to Cricket Club for both bits of land

iii Cricket Club to MUGA management group.

It was agreed that the funding application to the Football Association for £70,000 should be made by the Parish Council.

“Crowd Barriers” around the football pitch are not thought to be a problem.

#### f) Planning & Highways

The Planning Report had been circulated.

It was noted that there was a deep pot hole at the foot of Adams Bank. This is to be reported to the County council Highways.

SCA - nothing had been heard from the Planning Authority on this matter.

Tynedale Local Development Strategy - clarification is to be sought on the question of recognition of New Ridley and Hindley as separate communities within the parish.

It was alleged that there are rumours around to the effect that 36 houses are to be built in the field opposite the Golf Club behind The Grove.

It was reported that a planning application is to be submitted once again for a Riding School near Broomley Grange.

#### g) Communication

Website - Dave Porter advised that without input from others (particularly sports clubs) he cannot take the development of the website much further. Residents should contact Dave Porter for items to be included in the website. The question of page for young people also needs to be followed up.

#### h) Council Representatives

Nothing to report.

### **06/26 Other business**

None

**05/27 Date of Next Meeting**

3rd July

August - no meeting

The meeting closed at 10.10 p.m.