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|  | PULBOROUGH PARISH COUNCIL  *Working together for a better future* |

PULBOROUGH PARISH COUNCIL

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MINUTES OF A FULL COUNCIL MEETING OF PULBOROUGH PARISH COUNCIL

**HELD** **ON THURSDAY 19th SEPTEMBER 2024 AT THE VILLAGE HALL**

**PRESENT:** Cllrs: Ellis-Brown (Chair), Campbell (Vice-Chair), Clarke\*, Curd, Hare, Lee, Marcusson, & Riddle

**OTHER:** Harry Quenault (Clerk) & 6 members of the public

***The meeting opened at 7:30pm.***

***\* Arrived 7:35***

1. **APOLOGIES FOR ABSENCE**

Apologies were received as follows:

Cllr Hunt (Personal commitment)

Cllr Trembling (Personal Commitment)

Cllr Capelin (Work Commitment)

Cllr Esdaile (Unwell)

Cllr Martin (Personal Commitment)

Cllr Court (Unwell)

Cllr Kenyon West Sussex CC (Work Commitment)

1. **DECLARATIONS OF INTEREST AND CHANGES TO REGISTER OF INTERESTS**

Cllr Campbell declared an interest in agenda item 14 because he is employed by the company providing the quotation. He agreed to not vote on this matter, if a decision is required. Cllr Campbell also declared an interest in item 11 due to him being on the Cricket Club committee. Therefore, he would not vote.

There were no changes to the Register of Interests.

1. **MINUTES OF FULL COUNCIL**

The Council **RESOLVED** to **APPROVE** the Minutes of the Full Council Meeting from 18th of July 2024 as a true and accurate record of the proceedings and these were duly signed by the Chair.

1. **COMMITTEE MEETING MINUTES**

Members **RESOLVED** to **APPROVE** the Minutes, Reports and Recommendations of Committees (other than separate agenda items) as follows:-

**PLANNING & SERVICES COMMITTEE**

Members received the Minutes of the Meetings held on 4th of July and 1st of August

**RECREATION & OPEN SPACES COMMITTEE**

Members received the Minutes of the Meeting held on 11th June 2024 and 14th March 2024.

1. **ADJOURNMENT FOR PUBLIC SPEAKING**

There were 3 public speakers. Committee and those speaking were reminded that there is no right of reply until the agenda item is discussed.

Public Speaker 1, representative from the ‘frontages’ spoke on agenda item 12 about the lane ownership. It was stated that the name ‘Nutbourne Common Lane’ is not known and the lane is simply referred to as the track. The suitability of Nutbourne Common for disabled people is not appropriate, bearing in mind the government guidelines for disabled access in the countryside. Common sense must prevail that the Council cannot promote disabled access without significant modifications to the Common. The public speaker went on to name a County Council legal officer who had an email exchange with Cllr Riddle regarding this matter on the official steps that either he (as an individual) or the Council must take if they want to change the status of the track and its ownership. However, the response from the officer is not within the report and the residents think it should be. Perhaps Cllr Riddle would like to share this? Also, the advice given by the officer certainly does not propose the frontages engages in a dialogue with the Council and that Councillor Riddle will be aware of this. The frontages are therefore unable to engage with the Council in the recommendation, as it will serve no useful purpose to do so. Lastly, on the 4th of July, the frontages were told by the Clerk that he (specifically) would not be engaging with us any further and that the Council would not be involved in any legal challenge regarding the ownership of the track. Yet here the matter is here at Full Council. He thanked the Chair for speaking.

Public Speaker 2 was a representative from the Pulborough Cricket Club. It was discussed how important the recreation ground is to current team. Cricket has a 200-year history. The Cricket Club has a number of concerns, but most are now coming to a natural conclusion. The objective for Cricket is the safe viewing and safe participation of Cricket for the village. Moving the facility would be an option in the future, however, the cost and time required to do this is significant. It would come as a shock if this Council banned the use of this ground for Cricket and is somewhat disappointed that this is on the agenda. He thanked the Chair for speaking.

Public Speaker 3, a representative from Nutbourne and an active participant in the care of Nutbourne Common, spoke on agenda item 12. The road in question was originally only installed solely for local residents’ access to the Common. None of the properties facing it now were built and there are maps to confirm this statement. When Horsecroft Tanners and Nutbourne Ridge were built their postal/main entrances were and still are by Pump Lane and Carpe Diem nee Floats was also from Pump Lane. The Common has always been available to local residents until the owner of Nutbourne Ridge started to put obstacles in the way. If WSCC state road is a footpath, why did they grant access to Nutbourne Ridge and Horsecroft Tanners only a few years ago. Why should these properties have access and not the locals to whom the Common was gifted? The Council should demand access for residents of the local parish. Although the Inclosure Award defines it as a public highway it can be considered as a private road for the local residents of the Parish to have the same right of access as the adjacent properties. The proposed compromise is completely unrealistic and unreasonable as it restricts the rights of local residents and obviously there is not 24-hour cover at the PPC. I also think that promoting this and advertising it would only increase the visits which is not the aim.

1. **DISTRICT & COUNTY REPORTS**

**West Sussex County Council Report:**

The County Councillor produced a report in her absence. The Chair asked that any questions should be fed back to her directly.

**Horsham District Council Report:**

The District Council's Local Plan is currently in progress. There are some intriguing applications being reviewed by the Planning South committee soon. The consultation for the National Planning Policy Framework closes on September 24th.

Horsham District Council is relocating to a new premises near the old Wilkinson building in Horsham.

The Council is exploring fair and equitable Council Tax reductions for young women and girls as part of a task and finish group.

The Parish Council's Neighbourhood Plan is currently undergoing a water neutrality consultation, which is set to conclude soon. A full consultation on the entire document is expected in January, with a vote anticipated by Horsham in April. If approved, the plan will help prevent speculative mass housing developments and promote sustainability.

Members **NOTED** the District & County Reports.

1. **GENERAL POWER OF COMPETENCE**

Members **RESOLVED** to re-new the General Power of Competence for the Parish Council.

1. **CALENDAR OF EVENTS**

Members **RESOLVED** to accept the calendar of meetings as per Appendix A.

It was noted the date needs to be changed from 2024 to 2025.

1. **CO-OPTION OF A NEW COUNCILLOR**

The applicant gave a speech about her application and why she wanted to be a Councillor.

Members **RESOLVED** to accept to co-opt Andrada Labuschagne on to the Parish Council, with the proviso that the new Councillor signs the Register of Interest within 14-days.

1. **WARDEN REPORT**

A comment was made regarding the breakdown of hours, questioning whether the gap is filled by other events. The clerk will seek clarification on this matter, as there is some vagueness. The wardens have been asked to provide an update.

It was also requested that the wardens be present at the next meeting when they are available, if possible.

The Council **NOTED** the July Neighbourhood Warden Report.

1. **CRICKET CLUB – NEXT SEASON**

The Chair introduced the deferred matter. The Clerk explained that several developments had occurred in the past week. The Council had met with a representative from the Cricket Club to explore the possibility of relocating to a different ground. Unfortunately, the proposed location did not meet ECB regulations, and the outer pitch required drainage work that could take several years to complete and would incur significant costs. On a positive note, the subsequent meeting with the Cricket Club representative was constructive. While it is hoped that the club can continue using the recreation ground, the Parish Council did raise concerns about the current management of the club. However, the Clerk acknowledged that recent improvements had been made. The Clerk emphasised the importance of maintaining a harmonious relationship moving forward, stating that a contract may be an adequate solution.

A comment was made that there has been substantial investment in the square, with plans for the current sports pavilion that will benefit cricket. A significant amount of funding has come from the ECB, and it would be a great shame if the ground were to be relocated.

The Chair mentioned that the Cricket will continue playing next season. However, the specific club needs clear intentions moving forward, including a business plan to ensure viability.

It was discussed that the new pavilion serves as a community hub and is a valuable asset for the community, complementing other improvements made to the MUGA. It will benefit not just cricket, but the entire community. It mentioned while the members are pleased to see progress made, some of the communication has been unacceptable and a good working relationship is key to the future of use.

A cohesive and collaborative approach is needed, as some social media posts have been hostile. Support for the Pulborough Cricket Club and the Parish Council, along with collaboration with other clubs, is essential. There are also issues with the sports pavilion in the new facility that need addressing. That is an issue for the Parish Council to address.

It was noted that it would be beneficial to have affiliation with the sports and social club as well as the other clubs.

It was discussed that the costs related to the proposed ground would be significantly lower than those for a new ground, particularly given the high expense of wickets. However, the best approach is to work collaboratively with the Parish Council at the current ground where they play.

A statement was made that the Cricket Club has a grassroots aspect, bringing in new players including children with disabilities. It’s believed that the best chance for the club is to remain at their current location, as a new ground might deter people due to the challenges of a new location and getting there.

It was stated that a resolution must be in place as quickly as possible due to the crucial repair work to the ground.

A comment was made that while it’s important for the Parish Council and Cricket Club to work together, there is also a third party—the Sports and Social Club—which complicates the proposition. Now that the Cricket Club is established, they should have a business plan, and their committee should make decisions for the club. Additionally, there should be discussions with the Sports and Social Club to ensure future collaboration.

The Council **RESOLVED** to hold a meeting with Ray Quested (the treasurer) about the future of the Club where a decision would be made on the future of the club and how it can collaborate with the Parish Council so that it can continue to use the recreation ground. Chair of Parish Council, Clerk of the Council, R&OS Chair and Vice Chair of the Parish Council would be included in this meeting.

Due to a concern regarding the square, the council will act on the resolution and needs to schedule a meeting for next week.

1. **NUTBOURNE COMMON LANE**

**(Advisory note, due to evidence, provided by HDC, coming to light indicating that the lane/track does not have an official name of its own and is simply considered part of Nutbourne Road, with all properties addressed accordingly.)**

The Clerk mentioned that this is a matter is representative as a motion from Councillor Riddle, however the compromise listed, is a balance and the Clerk’s recommendation for a meeting with the ‘frontages’. The Clerk also clarified that while a decision was made with the ‘frontages’ beforehand the matter had come to Full Council purely on the basis that the standing orders had been followed by Cllr Riddle and therefore the motion is being discussed tonight.

Cllr Riddle stated that it was clear the Common had been gifted to the local people of Nutbourne. The lane, under the enclosure award, was designated as a public highway, 30 feet wide and was a well-used access route without interruption from the properties along it until recently. This issue is not only about disabled individuals but also about those who cannot walk long distances. The initial right of access to the common came before the properties which subsequently came after the lane was established. There is a need to ensure the regular maintenance of the highway. West Sussex County Council remains involved, and Nutbourne Common Lane is governed by the enclosure award, which could be supported and upheld through Parliament by the local MP.

A member, who lives on a similarly situated private road with a public right of way (PROW), explained that while visitors have access to the lane, this does not mean that cars are granted the same access.

Cllr Riddle expressed that the issue stemmed from the property owners along the lane preventing vehicle access to the common. He felt that the Parish Council, speaking on behalf of the residents, should seek the need for vehicle access to the common.

This viewpoint was challenged by other members and whether this statement was true.

The Chair stated that the lane where he lives has a public right of way (PROW) that allows people to walk along it. This track provides access for residents, with a public footpath, while one property has an exclusive easement. It’s important to note that access is not being restricted for mobility scooters, as this would violate the Equality Act and could be seen as discrimination. Legally, public car access is not guaranteed, as carriageways were originally intended for horses and carts, not for the general public. According to inclusion laws, access by wheeled or trodden means is allowed, but it’s not an absolute right. It was mentioned that the from a WSCC legal perspective there was only one option, which the only way to change the status of the route in question is through an application known as a definitive map modification order (DMMO). The idea of turning the carriage road into a public road is something the council should reconsider, as it may lead to a legal challenge and could be costly. The compromise is not appropriate either as it takes away from the Clerk’s and staff’s time.

A member made a point that there is an option to do nothing and let things remain as they are, maintaining the current arrangement, which works well and preserves a good relationship.

It was noted that very few cars use that road, and the situation has been manageable. It was unfortunate that there’s a lot of tension and bad feeling surrounding it.

Cllr Riddle motion was as follows: The Council should resolve that the track is for the local residents to have the same access rights of to the Common (which would be presumably include vehicle access) as the ‘frontages’. This motion failed.

A question was raised about how the above motion could be enforced. It was suggested that signage, such as fingerboards, could indicate that Nutbourne Common is accessed via a private road.

The Clerk reminded the committee that the council could choose to maintain the current operational arrangement.

After a minor grammatical amendment, the Council **RESOLVED** to elect the Chair and the Clerk to re-engage with the ‘frontages’ on whether a compromise could be achieved and facilitate a better relationship going forward.

1. **CHARITY – LITTLE MONKEYS**

The Clerk updated the committee with the following:

Little Monkeys currently operates with 4 core volunteers, all of whom are mums, who meet regularly to plan events and organize the weekly craft and sensory activities. In addition, there are 5 other volunteers—current or former mums—who assist with the Friday morning sessions. However, it is anticipated that more help will be needed, as up to three volunteers may leave soon due to their children moving up to school. Little Monkeys plans to advertise for new volunteers at upcoming events. Most of the current volunteers have undergone DBS checks, with two certified in first aid and one trained in safeguarding.

Regarding recent activities, all safeguarding, GDPR, and other essential paperwork are in order. A thorough clean and reorganisation of the space was conducted on the 6th of September to ensure readiness for the new school year. Little Monkeys resumed group sessions on the 13th of September, welcoming 39 families, 8 of which are new to the group. An informal meeting was also held to plan activities for the half-term period, with a focus on events leading up to the 18th of October.

As for future goals, Little Monkeys would like to maintain its current structure, with the addition of a written constitution to formally outline the group's purpose, decision-making processes, and the roles of those involved, ensuring it operates as a community entity. Plans are underway to set up a bank account for the group, where all funds raised from events, raffles, or donations will be securely kept and used solely for the group’s activities. Little Monkeys is incredibly grateful for the parish council's support in covering rent and insurance since April and hopes to continue this partnership moving forward. To enhance transparency and accountability, the group proposes holding an end-of-year meeting each July with a parish council representative. This meeting would review the group's activities, attendance numbers, and financial status, providing a clear picture of how the council's support has been utilised.

Lastly, Little Monkeys intends to remain a community-based organisation rather than transitioning to charity status. With Kirsty, the "Head Monkey," stepping down in September, there are concerns about ensuring the group’s continuity if it were to take on the additional responsibilities and complexities of becoming a registered charity.

The Council has agreed to provide ongoing support and additional resources, possibly utilising a volunteer base. Clarification regarding its current status as a 'community group' was also discussed.

The Council discussed this fully and **RESOLVED** to defer this matter for 6 months.

1. **INSURANCE**

The Clerk explained that several questions and reassurances had been sort prior to this being discussed at Full Council. These included making sure we had the correct cover for our gym equipment, benches, small statue in war memorial, the updated MUGA and our new cricket nets. Several assets were also removed due to them being sold.

There will be a minor change to the quotation shown as per best practice is it best to insure £12,000 received yearly for rent receivable for the S&SC.

The Council **RESOLVED** that the clerk will investigate the cost of cyber coverage and inform the chairpersons of all relevant committees to ensure the decision is clarified before it is made, given the time constraints.

It was discussed that the listed clause specifies a 100% personal accident limit per individual. It was clarified that councillors, trustees, volunteers, and staff are entitled to a capital benefit of £100,000 in the event of injury.

Members **NOTED** and accepted the last bill of a 3-year contract with Gallagher Insurance.

1. **REPRESENTATIVES ON OUTSIDE BODIES**

APCAG's annual public meeting at Gatwick is to be attended and the agenda is set to talk about the Noise Management Forum. The DCO (second runway) is currently with the Department of Transport, with a determination expected in February.

It was noted that the HALC meetings are not being attended by a representative from our Council and the absence has been highlighted. The AGM is scheduled for the 15th of October.

The Council **NOTED** all reports above from outside bodies.

1. **PAYMENTS**

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| Pulborough Village Hall | £108.00 |
| Ricoh | £102.61 |
| Laser | £1,421.50 |

***The meeting closed at 8.42 pm.***

……………………………………..Chair

………………………………………Date