
BLACKSHAW PARISH COUNCIL

6 Adelaide St, Todmorden, OL14 5HT 01706 815155
blackshawclerk@gmail.com



Draft Minutes of Blackshaw Parish Council held on Monday 26th October 2015 at Blackshaw Head Methodist Church,

Present: Cllr Davies (in the Chair), Cllr Sutcliffe, Cllr Goodman, Cllr Neill, Cllr King, Cllr Butterworth (part)

1. Apologies for absences previously notified to the Clerk. Cllr Geldard
2. Declarations of interest in items on the agenda. None
3. Minutes of Parish Council meeting on 28th September. Agreed
4. To receive information on matters arising from the meeting on 28th September
 - 4.1. Red phone box – Cllr Butterworth reported that there was a notice inside phone box from BT offering to sell to parish council for £1. Not sure if power remains connected. Damp has been problematic for library or leaflet projects. Member of public suggested using it as phone box again / wifi hub (as signal not good). Defibrillator also useful. Other member of public suggested could also get in touch with Colden school to design project. Summarise ideas to googlegroups again. Postpone further discussion till next meeting.
5. Discussion on Calderdale's Statement of Community Involvement. Calderdale's Local Plan – consultation process has had to be updated, and they're consulting on how they consult. Very much technology based, website and email. Perhaps need to make issue that as broadband isn't good, and we're rural and isolated, they shouldn't lose paper and face to face contact. MD to respond with this point on behalf of BPC.
6. Discussion on S137 arrangements – how the various local councils decide on their grant-giving criteria etc. This item first raised at the Town & Parish Council Liaison Group. Discussed whether appropriate to produce application form, requesting detailed info from groups who apply to us. Some feeling that there should be a very simple application form, but not everyone agreed with this. There have been no problems in the past, why change it. Voted and agreed by majority that we should maintain current system.
7. Report from Allotment Committee meeting. Great to see so many councillors – and was a good, constructive meeting. We should offer some support to new allotment holder when in place. DG clarified that statement about cultivation came from Calderdale website. Also the point about greenhouses was from the point of view of anything in the greenhouse could contribute to portion of overall plot in cultivation, rather than that people must cultivate their greenhouses. Work party proposed by MD, and agreed – MD to organise. MD to chase Dan's Garden Services. DG also clarified that concrete slabs – permeable paths were in the planning application. 1m met NSLG conditions. Minutes agreed as accurate record.
8. Training courses available for new councillors. Agreed to pay for all 4 councillors if they wish to go, and vire some money from elsewhere. Councillors to contact the Clerk. Clerk to send by email.
9. Agreed the purchase of a wreath for Remembrance Day, DS to pick up.
10. Update on broadband progress and next Wayahead meeting. Agreed, Clerk to book town hall. St James as an option if Town Hall booked.
11. Correspondence to note:
 - 11.1. Next phase of 20mph zones will cover Heptonstall (and other areas around Hebden Bridge).
12. To consider planning related matters:-
 - 12.1. To receive information on previous planning applications and enforcement notices:
 - 12.1.1. 15/00864/HSE | Two storey extension to side, conversion of detached garage to form linked living space, two storey extension to rear, porch to front and new access drive. | Warcock Hill Cottage The Long Causeway Blackshaw Head HX7 7JB - **Permitted**
 - 12.1.2. - 15/00353/FUL | Enhancement of existing livery yard to incorporate enclosure to existing outdoor arena: provision of new outdoor arena and location of temporary living accommodation (caravan) | Stables West Of Blackshaw Royd Farm Marsh Lane BlackshawHead – *mind ed to refuse*. Cllr Battye explained situation – committee wanted to refuse, and knew the grounds, but were struggling to link it into policies. The decision has to be supportable if it is challenged

at appeal. Officers concerned about a potential appeal and finances involved. Reasons offered to support refusal sounds fine to Cllr Battye, but planning officer unconvinced. Some advice provided by planning consultant. Much discussion around this issue with contributions from members of the public and all councillors, who felt similarly that the grounds for refusal were sufficient. Cllr Butterworth reiterated the point about the history of land use and the abuse of planning to be able to build a house on the land. Referred to PPS 7 para 5 which advises s local authorities to look at history of land use and transfer. Land is still belonging to Blackshawroyd farm owned by the Wades. Officers don't seem to be taking any notice of this particular point, saying that PPS 7 is no longer current. Principle of building in green belt is still same now, but difference is that PPS 7 isn't mentioned in NPPF. Calderdale planning training session indicated that first level is European guidance, then national guidance, then local Calderdale guidance (UDP). Para 1129 of UDP "constraints for planning in land around Todmorden", guidance refers to PPS 7 and NN8, eroding of green belt. So contradictory guidance being given. RB written to Richard Seaman on this issue, where do we stand on this. PPS 7 is taken in to account specifically in other areas. Officer seem to be scaremongering about prospect of appeal. Also the officer's advice in section 4.5 is contradictory about whether it is or isn't in the greenbelt. PN pointed out that if material considerations are clear enough, then they don't need policy reasons in addition. This argument needs to be made clearly. Business plan isn't very clear as to what they were going to do if they get the permission. Marsh Lane isn't wide enough for 2 vehicles yet 20 full liveries would result in a lot of traffic movements as each person would have to come twice a day. Will also impact Mytholm Steeps and Lee Wood Road traffic. Question about the factual information being wrong – need to challenge them on that. Also query about whether they are also offering riding lessons, which would add to traffic. Question about whether there really is firm intention to develop viable enterprise (which is essential in planning terms to justify need for temporary development) or whether it's a loophole to exploit to build house. A fundamental concern is that it would be a precedent for developing as you like on the site, using inaccurate business plans just to get a valuable house on the site. Cllr Battye extremely concerned that livery or riding stables is latest way of getting planning permission through the back door – 5 or 6 similar planning applications in the ward. Members of public are concerned that the planning officer isn't being sufficiently challenged, that some of the evidence from the applicant's agent, such as it having been used as a riding stables previously, has also not been challenged. Concerned that the committee would be voting on evidence that is factually wrong. Local residents are quite disturbed by this process, in particular the apparent lack of teeth of the democratic planning committee when faced with officers threatening a costly appeal.

12.2. Update from Anne Markwell, Enforcement Team Leader NONE

12.3. To consider new planning applications (these can be viewed via Calderdale Council website using the reference number shown): NONE

13. To consider matters relating to highways, bridleways and footpaths

13.1. Unfenced access to river from A646 near Fern Villas – owner found through Land Registry – Clerk to draft letter.

13.2. Overhanging bushes and trees in village – letter was written to property owners and they have taken steps to cut these back. Uprooted tree on Steeps – reported to Council.

13.3. Shay bend on end of Brownhill Lane on New Shaw Lane big pot hole. Clerk to report it to CMBC, going down towards Jack Bridge – trees have been planted on grass verges, sign is covered up for double bend. Between Murgatshaw and High St, trees dangerous for pedestrians, forcing them out into the road.

13.4. A646 being resurfaced in sections, 3 weeks from 10pm – 4am. Every weekday night. Closed to all except for emergency vehicles.

13.5. Next bend down after Glen View, too many cars parked there causing lots of issues. Main problem is that there are more cars belonging to people there than ever before. Was brought up at the Ward Forum. Agreed to get back to the highways for a following up meeting. Clerk to arrange.

14. To consider the following financial matters:

14.1. The budget remaining for (2015/16) is £6330 and the bank balances total £9932

14.2. Confirmed payment of the Clerk's monthly salary and expenses including £6 to Land Registry.

14.3. Confirmed payment of £54.99 to Todmorden Computers for external hard drive for back-up.

15. To consider representative reports and invitations:

15.1. Reports from previous events

Town & Parish Council Liaison Group Annual Conference – Sat 3rd October. Highways information quite interesting, the police information was poor, not relevant locally.

Neighbourhood Plan meeting - 28th September. No one could attend due to meeting clash, they appointed a consultant.

Highways Market event at Halifax TH – 28th September - MD attended. Need to keep pressure on them for gritting.

YLCA Planning training course – 10th Oct - PN and RB attended, and felt it was excellent.

Met Office/EA Crowdsourcing workshop, London - MD attended

Richard Naylor/Heptonstall Exhibitions charity meeting – PN attended, fairly brief meeting, not that well publicised. Or rather it is well publicised but people still unaware of it. We could put it on the website. Schools could do more. Not that many new applications.

14.2 Upcoming Events and invitations

Neighbourhood plan meetings scheduled for 16th Nov, 14th Dec, 11th Jan 2016 MD to attend
Town & Parish Council Liaison Group 6.30 3rd November Hebden Royd TH – MD to go.

Community Flood Resilience Board - 15th December (MD to Chair)

Flood Recovery Programme Board – 9th December - MD

National Flood event, London 2nd December - MD to present with CMBC

Remembrance Day 8th November – MD to attend

OTHER CHRISTMAS DATES

Carol Service - 18th December

Parish Council Meetings: - 26th October, 23rd November, 14th December at Blackshawhead Methodist Church.

Wayahead Meeting – 30th November

Signed *Catherine Bann*
Clerk to the Parish Council