



## Briercliffe with Extwistle Parish Council

### Tuesday, 21<sup>st</sup> January 2020

**Present:** Councillor Russell Hawkes (in the Chair), Councillors Simon Dack, Nick Higham, Duncan MacIver, John Stewart and Pam Vincent.

**Others:** Steve Watson (Clerk), PC Nagina Ahmed, County Councillor Cosima Towneley attended later, Borough Councillor Anne Kelly, plus 7 residents.

Councillor Hawkes opened the Parish Council Meeting and welcomed everyone.

<u>Agenda</u>	<u>Actions by Clerk</u>	<u>Cllr Support</u>
<b>Parish Council Agenda</b>		
<b>19/20/094 Apologies for absence</b>		
Apologies were given by Councillors Adam Dack who was working and Ben Eastwood who was working. Michael Greenwood also sent his apologies.		
<b>RESOLVED: That above apologies and reasons given are approved.</b>		
<b>19/20/095 Declarations of Interest / Code of Conduct</b>		
There were no Declarations of Interest.		
<b>19/20/096 Formally adjourn the meeting to allow for public participation</b>		
<b>RESOLVED: That the meeting is adjourned to allow for Public Participation.</b>		
<b>(a) Police Report</b>		
PC Ahmed reported on crimes from 16 <sup>th</sup> November to 19 <sup>th</sup> January, there had been 2 vehicle crimes on Burnley Road and Holgate Street with stolen wheel trims and a smashed window. 2 thefts, 3 burglaries with stolen bikes and kids reported on rooves, a damaged fence at the bowling green, kids at the spar shop, school and Talbot Drive. A section 60 order had cause kids to migrate into Briercliffe, but there were no problems. The Land Rover is back and officers are awaiting training		

and there had been no Anti-Social Behaviour reported last week. It was reported that the response time to 101 had improved. Nagina was thanked for her report.		
<b>(b) Calico Proposals Royal Court</b>		
A meeting has been arranged for Friday for invited residents who have raised concerns to deal with outstanding issues, the Chair has swapped his working days in order to attend.		
<b>(c) Public Questions</b>		
A resident reported a massive pot-hole on the private road running between Talbot Road and Granville Street, though the land is not registered and tree roots are damaging a driveway. Bags of cold lay tarmac and compact could solve the problem and it was suggested a notice to remove is displayed on the trees asking the owner to contact otherwise they will be removed. A price for cold lay tarmac is to be provided.	Cold Lay Tarmac	SD
A Resident Parking request was responded to by the Clerk.		
An anonymous list of questions posted on the allotments was read out and responded to (see Appendix 1).		
<b>(d) County Council Report</b>		
The County Councillor arrived later and provided a report.		
<b>(e) Borough Council Report</b>		
Borough Councillor Anne Kelly reported that tenders had gone out for the medical center, the current doctors have not replied and tenders close in 2 weeks. The Parish Council has never paid for grit previously and the invoice should be disputed. The County had stated they had repaired Todmorden Road but it is still impassable. The planning application for Standen Hall Drive is being appealed and the resident's group will continue to fight. An application for Walshaw Mill is due.		
Anne also reported that the Community Centre accounts were available for audit and the Parish Council had not paid the grant in 2019.		
<b>19/20/097 Formally reconvene the Parish Council Meeting</b>		
<b>RESOLVED: That the meeting is formally reconvened for Parish Council Business</b>		
<b>19/20/098 Finance</b>		
1. Accounts to be approved for payment. Additional bills included.		
1.1 Clerk Salary	£432.88	SO Paid
1.2 Greenwoods Lengthsman Dec	£730.00	
Greenwoods Allotments Dec	£120.00	
TOTAL	£850.00	001519 Paid
1.3 Howarth Timber Allotments	£21.60	001520 Paid
1.4 Smith Sutcliffe football Lease	£600.00	001521 Paid
1.5 LCC Grit	£150.00	001522 Dispute
1.6 Allotment Deposit repayment	£50.00	001523 Paid
1.7 HMRC	£108.22	001524
1.8 Greenwoods Lengthsman Jan	£580.00	
Greenwoods Allotments Jan	£100.00	

	TOTAL	£680.00	001525		
1.9	Waterplus	£255.42	001526		
1.10	Briercliffe Community Centre Grant	£1,500.00			
	Briercliffe Community Centre room Hire	£32.00	001527		
1.11	Lanlee	£189.31	001528		
1.12	Howarth Timber	£21.60	001529		
1.13	Scribe	£34.80	001530		
1.14	Blakeys	£90.72	001531		
1.15	Allotment Deposit repayment	£50.00	001532		
1.16	Landrover Tax	£210.00	001533		
<b>RESOLVED: The bills outlined above are paid although the Lengthsman is to take the costs for gloves off his next invoice. Available funds will be transferred to the Business Reserves account at the end of the financial year.</b>					*SD
2.	Income Received				
2.1	Garage rents Nov	£602.38			
2.2	Garage Rents Dec	£605.38			
2.3	Bank Interest Nov	£0.47			
2.4	Bank Interest Dec	£0.51			
2.5	Electricity North West	£22.83			
2.6	HPC Stationery Repayment	£238.00			
2.7	WPC Stationery Repayment	£377.15			
3.	Bank Balances				
	▪ Current a/c –	£12,378.03			
	▪ Deposit a/c –	£ 2,929.90			
	▪ Petty Cash -	£ 85.36			
	▪ Facebook Boost -	£ 100.00			
	▪ Garages -	£ 10,685.41			
	Total	£ 26,178.70			
The budget monitoring report, petty cash report and bank reconciliations were circulated.					
<b>RESOLVED: That the bank balances, budget monitoring report, petty cash report and bank reconciliations are noted.</b>					
4.	A draft budget was circulated, it was agreed that the Precept would remain the same as last year and the details within the budget would be discussed for approval at the next meeting.				
<b>RESOLVED: That the Precept remains at £22,250.00.</b>					
<b>19/20/099 Minutes of the last Parish Council meeting</b>					
The minutes of the last meeting held on 19 <sup>th</sup> November 2019 were submitted for approval as a correct record.					
<b>RESOLVED: That the minutes of the Briercliffe with Extwistle Parish Council meeting on the 19<sup>th</sup> November 2019 are approved as a correct record.</b>					
<b>19/20/100 Matters outstanding from the minutes</b>					
Policies are on-going, there was nothing to report on Planning Applications. The County Safety Officer to be moved to the next meeting. The Borough Councillor and Councillor Frost items are to be moved to the next meeting.				Check Policies	NH

<p>At the November meeting a resident reported feeling threatened on the Allotments, not at the chippy, however police have stepped up patrols.</p>	<p>County Safety Officer</p>	<p>RF</p>
<p><b>19/20/101 Clerk's Report including Administration – for information only</b></p>		
<p>The Clerk's report and correspondence was noted and the Chair is to reply to the Buckingham Palace Garden party. There are no red telephone boxes remaining in Briercliffe. The request to put a pony on the former nursery school plot is to be deferred until the chimney issue is resolved.</p>		
<p><b>19/20/102 Updates and Reports (for information only)</b></p>		
<p><b>Members of the Council</b></p>		
<p>It was agreed to investigate more Christmas decorations this year with lights in the trees on Duke Street and stress testing the street lamps.</p>		<p>*SD/PV</p>
<p>There were no further updates, the Lengthsman was off in December and some jobs were delayed.</p>		
<p><b>Community Centre Update</b></p>		
<p>The Community Centre update was provided earlier.</p>		
<p><b>Heritage Items</b></p>		
<p>There was no report</p>		
<p><b>19/20/103 To receive reports from Committees and consider the Recommendations</b></p>		
<p>2. <i>Planning Committee</i></p>		
<p><i>The following applications were considered:</i></p>		
<p>10.1.1 <b>FUL/2019/0373</b> Proposed outdoor arena (Proposal affects Public Footpath No. 14), Stoney Raikes Barn, Robin House Lane Responses closed</p>		
<p>10.1.2 <b>LBC/2019/0557</b> – Proposed single storey side extension and alteration and demolition of existing garage and link extension, Monk Hall Todmorden Road Responses closed</p>		
<p>It was noted that the outdoor arena has a medieval plowed field and there are only 2 in the country and concerns about the inscriptions above the doors however these were not affected. There were no objections to a late Sandygate drive application.</p>		
<p>County Councillor Cosima Towneley attended and apologised for being late as she had been at another meeting. She reported that the Landrover is back but still needs more work, the King street Mill Chimney owner is now co-operating, Queen street Mill is open 3 days a week from Easter to October and people were encouraged to follow the friends of Queen Street Mill Facebook page. The Friends of Burnley Libraries needs more volunteers and a newsletter item will be provided, Stirling Court is to get a filler before a full resurface and the Council asked if it could have the plainings for allotment paths. An application has been made to upgrade footpath 13 and support letters were requested, Cosi was thanked for her report.</p>		

<b>RESOLVED: There were no objections to the Planning applications.</b>		
<b>19/20/104 To receive reports from Working Groups – for information only</b>		
1. Allotment Working group		
Allotment Application to add to waiting list Nathan Hart - confirmation email sent. Replacement keys have been provided and delivered, a request for information has been replied to, 11 gardens, 6 pens 12 garage and 4 containers are noted on our online waiting list. 2 vacant pens to be advertised, a garden tenant who has moved will have a notice of termination poster pinned onsite.  The Self-Management proposal has been responded to and a reply is due, tenants are to be surveyed prior to implementation and votes collected at rent day.		
<b>19/20/105 Matters identified for future consideration</b>		
There were no matters identified.		
<b>RESOLVED: It is proposed that in view of the sensitive and confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw.</b>		
The Lengthsman Tender Specification for 2020 is with the solicitor. A proposed land sale was agreed if the solicitor permits and it was agreed to send notice of termination to illegal tenancy holders once the list is checked. Councilors requested Budget Monitoring Reports and Bank Reconciliations to display category headers relating to any general, restricted or earmarked reserves which the Parish Council has agreed to build upon.		RH  SW
<b>19/20/106 It was agreed that the next meeting of the Parish Council will be held on Tuesday 18<sup>th</sup> February 2020.</b>		

"A Christmas wish"

That we don't have to put up with this set of parish councillors for long.

A quick review of Briercliffe parish councillors' negative achievements from a parishioners point of view primarily-drawn up from allotment holders' comments and personal observations:-

There are two years left before the next Borough run election and serving Briercliffe Parish Councillors will continue to volunteer their time and efforts in and around the place they also call "home." This "Christmas Wish" of personal comments was posted anonymously and is therefore being addressed tonight due to the many inaccuracies; some of which could be classed as liable falsification through bullying tactics and continuing harassment.

1 Failure to improve security

- Bottom of Allotment path leading to the Rec – LM instructed to replace metal posts...not yet completed as he thought Burnley Council might need access...
- Turning Circle Garages – exterior fencing /gate prevented thefts this year. PC will look into request for CCTV if all tenants agree it is something they want and will subsequently pay additional costs added to their monthly charges to cover purchase and installation. LM was going to look into viability and get back to us... (There are lots of rules and regulations for Parish Councils regarding safeguarding; storage of video etc. which requires compliance).
- Queen Street Rec access restricted with posts/fencing - LM job completed.
- Allotment barrier/gate – replacement lock was made to match existing keys. Some of the keys have been worn smooth by age and no longer worked...These have been swapped on request. After repeated reminders the barrier continues to be left open most nights...
- Requested Fencing and gates – project completed as far as budget allowed. (Ongoing consideration for other areas in the future).

2 Failure to improve land drainage

- Recent Drainage Project does do what it set out to do. Perhaps increased rents could be discussed with affected tenants in order to improve other drainage concerns?
- As stated above, this money has to come from the allotment monies if on allotment land. It would be remiss of the PC to spending Parish precept on allotment issues which may not benefit the whole Parish.

3 Failure to maintain current drainage

- The drainage at the top of the allotment path down to the Rec has been on the LM job list for a while and is now underway as a LM Winter job.

4 Failure to keep an accurate up to date address list.

- Cllr Maclver has created an Excel database which is kept as up-to-date as the information shared with the PC and is the most transparent and best it has been in many years. For such small rent amounts when people move house, for example, some don't respond to correspondence sent which creates legal timeframe difficulties. Those allotment tenants in "legal limbo" at the moment will be given 1

more month then evicted in their absence and allotments offered to new tenants this coming Spring.

- We are constricted by GDPR/Data Protection Act and having been provided with scant information, we are attempting to ensure (with the sterling help of Cllr Maciver) that we have an accurate record of address lists for a PC tenants. Obviously if people move house or die, we are not informed and can only find out/ legally act 12 months later.

#### 5 Failure to let garages and allotments in a timely manner.

- Garages- when tenants have been offered to transfer they have not got back to Cllr Eastwood presumably due to the costs involved. Some empty colony garages do need letting. To that end our Clerk is in the process of confirming Turning Circle running tenancies and those that have lapsed...

#### 6 Failure to hold an accurate and valid waiting list.

- Up-to-date with the information shared with us.
- This detailed information is published, in accordance with GDPR, on our PC website.

#### 7 Failure to clear and generate more allotments.

- Incorrect. Pen 24, 24a,24b,(24c) were generated and all but one is let due to the last one holding waste which possibly needs specialist removal, (which has been costed with a waste removal company).
- Pen 25 has been split (new) 25 is let (but will become free in the next few weeks), 25b is in the process of being let and 25a has failed to be replied to by those at the top of the waiting list (who have been removed in line with policy). As such a request from P24 for additional land will be considered alongside discussions with P29 who has requested access.
- (As previously started)...The PC knows of other Garden allotments which tenants have said they no longer want. Cllr. A. Dack has talked, texted, emailed and even visited home addresses with relevant paperwork but tenants have not been forthcoming. Those in "legal limbo" at the moment will be given 1 more months' notice then evicted in their absence and allotments offered to new tenants this coming Spring.

#### 8 Failure to uphold their own rules with regard to discipline, both tenants and Councillors.

- Letters sent at least twice referencing tenancy breaches have resulted in some identified problems on allotments being addressed by tenants.
- Codes of Conduct are followed on the advice of our Clerk and external legal contributors. Where disciplinary processes have been warranted they have been comprehensively run according to policy and resulted in agreed-on outcomes.

#### 9 Failure to maintain suitable access roads.

- PC has agreed for 20 tons of plainings to be bought. When delivered, (after road drainage works have been completed) our LM can then hire a roller and set to improving the surface. The PC is a not a 7 day / 24 hour operation and gathered Allotment rents only go so far to cover general maintenance and manpower to maintain unadopted roads.

10 Failure to notify owners of garages in disrepair.

- Garages will be a target areas of 2020 just like allotments were in 2018/19
- We rely on the LM and tenants to provide us with updated information. Requested corrective work to garages has been relayed to tenants. (For example rectifying unsecured doors).

11 Failure to know what is going on in general through lack of contact.

- Parish Council minuted Meetings/ quarterly Newsletters/ Website, Facebook and a number of Noticeboards are updated with factual information as and when required. Councillors and Clerk can be contacted online; new queries can be submitted /brought to monthly PC meetings.
- Decisions which have been approved will run their course and bullying will not change those decisions.

12 Failure to allow meaningful discussions.

- Devolved running of allotments was tabled/ discussed/ amended in-line with feedback and at the end of this consultation period no one came forward to take it on. Then a working group was offered and one tenant put his name forward – this was shared in a Newsletter, online, on Noticeboards and directly in Parish meetings or other face to face conversations with tenants. Now there is a call for devolved allotment management by MG our LM incorporating financial control. As last two times around, this in theory is a workable idea...however there are unavoidable legal stipulations.
- NALC/LALC/and other Legal advice is always sought where needed.

13 Failure to supply timely and accurate information in general.

- All information (accurate and timely) is available via the minutes and PC Newsletter; at Meetings... or from the Clerk and Councillors. Transparent final decisions are always made after discussion at minuted monthly PC meetings.

14 What have they done?

a) Put in drainage at the bottom of the hill at exorbitant cost (paid to a standing councillor)

- Works were not done at 'exorbitant cost', the work was undertaken by volunteers who gave their time over a weekend and whilst it was published that this work was taking place, only a small number of allotment tenants volunteered their time.
- This drainage system was put in as requested by a number of allotment holders. As a result creation of new allotments can now be considered to ease demand.
- The gulley that runs across the field has been declared a suitable habit for wildlife and will increase its positive affect on wildlife over coming years.
- As previously responded to and accounted for, the materials were purchased at cost; monies were not paid to a standing councillor but to a company that supplied large plant equipment. Also, when one of the vehicles failed, a local farmer offered his machinery and time free of charge to ensure this project could be completed.

b) Not following guidelines when dealing with quotations

- All decisions are legally made.



c) Cancelled allotment meetings

- All Allotment business has been incorporated into monthly PC meetings so Allotment monthly meetings are no longer required. Also as Parish Councillors felt subject to continued bullying and harassment at Allotment Meetings we refuse to be so affected by a small number of tenants who do not speak for the majority.
- This anonymous, rude and ill-considered notice illustrates the above... being put up on Christmas Eve when people, Cllrs included, have better things to be doing.

d) Not controlled expenditure in general

- Transparent and audited annually - deemed in good order by internal processes and examined/ reported on by an external auditor.
- The present Parish Councillors have done a lot of work in the background to reduce unnecessary expenditure... to start building up the reserves that a PC is required to hold.

e) Wasted thousands of pounds on salaries with no practical benefit.

We have by law to employ a Parish Clerk who is responsible for advising legal compliance and financial probity. As above our finances are fully transparent and audited. We are not required to employ a Parish Lengthsman but who would address issues brought to us to rectify..?

f) Reduced general maintenance on the allotments and garages in general

- Actually through projects more money has been spent to address shared allotment concerns.
- Ongoing general maintenance is directly paid from allotment rent returns.

g) Created an atmosphere of being untouchable

- Councillors are well aware of responsibilities and work as unpaid volunteers within advised legal parameters.  
There are established lines of contact available but more restricted access has been employed at certain times in response to abusive, repetitive and threatening communications, in order to safeguard Councillors and Parish Council position.

h) This council is guilty of nepotism, lying, narcissism, deceitfulness and general

incompetence. The country thought that Corbyn was incompetent but he is an ace in comparison with this lot.

- Liable, liable, ridiculous, liable, point of view. Try doing it yourself!
- We are a non-political Parish Council.

Let's keep up the tirade to ensure when the time comes most of these councillors will go.

Let's face it these councillors in general are an embarrassment to the parish.

- From proven track record when faced with a tirade of abusive communications this PC has firmly and legally responded with factual information.
- We are continuing to ensure that well established local events in the Parish are taking place and have worked hard to improve Parish life – (LM work, WW, Bowling Green, Football Club, reporting crimes (other issues) and liaising with police at all levels, supporting community groups... to name a few).

It has been pointed out to me that the clerk is not a councillor but rest assured he is to be considered as one of, if not the most, incompetent and guilty person in bringing this parish into disrepute.

- Point of view and liable and actually was dismissed at mediation by LALC 2018.
- All PC's are legally required to employ a Clerk who meets the requirements of NALC/LALC to give legal advice.

A happy new year to one and all

- We can only assume that the writer, who is well aware of the proven responses, is not prepared to accept them and does not wish to have their identity revealed, as their comments are incorrect and could be construed as libellous.
- This anonymous letter has been designed to perpetuate trouble and upset in our community. It offers no positive ways forward and continues to make non-factual accusations using rude and offensive claims.

Hopefully our responses here go a little way to explain some of the work this Parish Council does for everyone living in Briercliffe.