

## CUCKFIELD PARISH COUNCIL

Minutes of the Meeting held at 8.15 pm on 12<sup>th</sup> March 2009

Present: Mr R Salisbury (Chairman), Mr K Gregory (Vice-Chairman), Mr S Blanch, Mr S Gilboy, Mr C Mercer, Mrs S Burgess, Mrs A King, Mrs J Revell and Mrs R Macintyre

In Attendance: Mrs F Jones (Clerk), Mr P Bradley (WSCC), Mrs M Hersey & Mr C Hersey (MSDC)

The Chairman welcomed Cllr Mrs Hersey, Chairman of Mid Sussex District Council, and Cllr Hersey to the meeting. Cllr Hersey stated that she was visiting all the local councils in the District during her term of office and had found this a most interesting exercise. All the parishes were faced with similar problems and she had been pleased to see the partnership working between the Councils. Cllr Hersey thanked the councillors for all their work on behalf of their community.

### Public Question Time

Members of the public were present with regard to Item 9 on the agenda regarding ownership of Horsgate Lane. A spokesperson for the residents underlined the importance of ownership for the residents and stated that legal advice had been received indicating the common law would apply. No residents wanted to see an increase in traffic. Residents now wanted to take this matter forward.

**244 Apologies for Absence** were received from Mr Gallagher

**245 Declarations of Interest:** Mr Mercer declared a prejudicial interest in Horsgate Lane as a member of his family had access to the Lane. .

**246 Approval of Minutes of the Previous Meeting:** The minutes of the meetings held on 15<sup>th</sup> January and 5<sup>th</sup> February, as previously circulated, were taken as read and confirmed as a true record.

### 247 Matters Arising from the Minutes

**Minute 200: Chairman's Report:** It was noted that the Parish Council had re-iterated its contention that a small contribution from the S106 funds held for the SRTS scheme towards the cyclepath to Warden Park school would be appropriate but that the bulk of funding should come from elsewhere. It was also noted that progress was being made to improve the broadband service.

The Chairman proposed, and it was unanimously resolved, to change the order of the agenda and to bring forward Item 9 regarding Horsgate Lane.

### 248 Ownership & Adoption of Horsgate Lane

The clerk was asked to give an update since the previous meeting. The clerk had received legal advice from West Sussex County Council and a letter detailing this information had been sent to a resident of Horsgate Lane. This stated that, with regard to adoption, the Parish Council is not a Highways Authority and it therefore had no power to adopt the lane. The County Council had no funds to carry out the repair works that would be necessary to bring up the road to an adoptable standard by that Authority. However, this issue would be pursued by the Parish Council as part of the planning process in connection with the new development in Chatfield Road. The County Council had suggested that, should the residents wish to pursue the adoption process, a 'Road Fund Association' could be set up into which all residents contribute on a regular basis to build up sufficient funds to bring the road up to highways standard. This would need to be set up with a formal legal documentation.

With regards to ownership, the Parish Council had been advised by the County Council that in the case of a publicly maintainable highway, if the owner of the subsoil is unknown there is a legal presumption that

the property owners, adjacent to the highway, own the subsoil to the centre line. Similar principals apply to private roads and this might therefore be the position in Horsgate Lane. However, this would need to be further investigated and, to this end, the residents might wish to consider seeking their own independent legal advice to achieve this. The residents might also choose to look at the question of private rights and whether there has been any interference with this in relation to the issue regarding the new access onto Horsgate Lane. The County Council and Parish Council would be unable to pursue this aspect as this involves questions of private rights.

The Chairman of the Roads & Traffic Committee stated that the Parish Council did not consider that Horsgate Lane was suitable for any additional traffic and did not consider that the development in Chatfield Road should be associated with Horsgate Lane.

## **249 Chairman's Report**

The Chairman reported that a Vision Statement from the 3-Tiers 4-Villages Group had been sent to MSDC. The original 3-Tiers Group had centred on the three towns but five of the eight strategic sites in Haywards Heath were sited in the neighbouring villages. The objective of the new group was to ensure the independence of the villages and to build a framework for the future. Mr Bradbury thanked the Chairman for his work in producing the statement. The Chairman reported that he had attended a luncheon at County Hall. Also that discussions were ongoing with regard to a new access to Holy Trinity School from the proposed development in Chatfield Road.

## **250 Committee Reports**

**250.1 Planning Committee:** The minutes of meetings held on 5 & 26<sup>th</sup> February were noted by the Council. The Chairman reported that the plans for Tentercroft had been refused by MSDC. A meeting to discuss Tentercroft, taking into account the Parish Council's point of view, was to be arranged shortly. A letter of objection to the proposed development at Chatfield Road had been sent to the District Council. A meeting to discuss the safety audit with WSCC, residents and the Parish Council was also to be arranged.

**250.2 Roads & Traffic Committee:** Mrs Revell stated that the main focus for safety with regard to the application for Chatfield Road had been on traffic movements, rather than the serious problems faced by pedestrians. The development fell within the SRTS scheme and would add more pressure and subsequent danger to pedestrians at peak times. There were also security issues regarding the additional access for the school which would be costly and would only be of benefit to a limited number of people. New plans had been received for the School Safety Zones and it now appeared that London Lane did not meet the policy requirement for a 20 mph zone and that flashing lights might have to be used without the advisory speed limit. The Parish Council fully supported the 20 mph zone and considered that there were unique circumstances in London Lane that should override this policy. Mr Bradbury considered that it was unacceptable to have a scheme without the 20 mph limit and was pressing for an exception to be made. It was agreed that a further response should be agreed that would underline the importance of the 20 mph zone. It was also agreed that the issue of the proposed cyclepath to Warden Park School needed to be discussed further.

**250.3 Environment Committee:** The minutes of the meeting held on 26<sup>th</sup> February were noted by the Council. Mr Gregory reported that there was an ongoing issue with the new red dog waste bin installed at Whitemans Green. The Parish Council had been informed that these were now the

standard MSDC bin. Cllr Hersey agreed to speak to the Planning Officer regarding the siting of these bins in a Conservation Area.

**250.4 Finance Committee:** Mrs Macintyre reported that a monthly meeting was now held with the Chairman and Clerk to go through the budgets. It was anticipated that a year-end reserve of approximately £50,000 was expected. Councillors were asked to note that as the precept was not paid until end April, sufficient funds were required to be held in reserve for April expenditure, this would amount to approximately £20,000. Funds of £300 remained in the grants budget. It was agreed that a donation of £150 be made to the Sussex Air Ambulance and £150 to the Citizens Advice Bureau. The clerk would seek information from the Victim Support Service to find out whether this group had been active in Cuckfield.

**250.5 Queen's Hall Committee:** The minutes of the meeting held on 5<sup>th</sup> February were noted by the Council. Mrs King reported that an enquiry had been received with regards to a Food Market and a reply was now awaited. The Museum had requested that the Parish Council send a letter confirm that the IT room (formerly the Clerk's Office) could also be used by the Museum for research purposes. This was agreed by the Council. With regards to insurance, this matter had now been satisfactorily resolved as both the Parish Council and Museum had adequate cover. The issue of fire doors upstairs and downstairs remained to be resolved.

## **251 Schedule of Paid Cheques**

The schedule of paid cheques, previously circulated, was approved by the Council

## **252 Insurance Matters at the Queen's Hall**

This matter had been dealt with under Item 8 of the Agenda. It was noted that a considerable increase in insurance premiums was proposed for the Hall. The clerk was seeking alternative quotations.

## **253 Parish Council Training**

Enquiries had been made with regards to setting up training events for councillors in Cuckfield. A former District Council Planning Officer had agreed to undertake a planning session and SALC would provide a more general session. Unfortunately, it would not be possible to host this on a Saturday and it was therefore agreed that these take place on a 'spare' Thursday evening. It was suggested that the SALC course include the new power of well-being, members interests and up and coming legislation.

## **254 County Council and District Council Reports**

**254.1 West Sussex County Council:** Cllr Bradbury reported that there would be a low WSCC tax increase and that no front line services would be affected. A sum of £4 million had been allocated to repair the some 9000 potholes in County roads. Cllr Bradbury welcomed the news that site at Paddocksland had not been allocated for development by MSDC. It was Cllr Bradbury's understanding that progress was being made by the Sports Clubs at Whitemans Green with regard to extending the lease and this would enable the matter to move forward. Cllr Bradbury considered that the 3 Tier 4 village Group had been very helpful in underlining to Officers the strength of feeling in the villages and thanked Mr Salisbury for his input.

**254.2 Mid Sussex District Council:** In the absence of the members for Cuckfield, Cllr Mrs Hersey reported that the Health Group was now awaiting the final decision on maternity services at the Princess Royal Hospital. It was noted that fly-tipping was an increasing problem but that MSDC offered a good service for its removal. Cllr Hersey stated that a consultation was currently underway regarding leisure strategy and MSDC was seeking parish council views. The work on the Core Strategy was ongoing.

The Chairman stated the chain of office of the old Urban District Councils had been returned to both Burgess Hill and East Grinstead. However, the Cuckfield Urban District Council Chain was still hanging in the Chairman's office at Oaklands. The Parish Council would be in contact with the District Council seeking its transfer to Cuckfield Museum.

## **255 Publications**

The receipt of the following publications were noted by the Council: Standards Board Newsletter; Local Council Review; Mid Sussex Corporate Plan; CPRE Sussex Review; Directory of Services; GACC Newsletter

The meeting closed at 9.45 pm