

## HARDWICK PARISH COUNCIL

I hereby give notice that the Meeting of the Parish Council will be held  
on Wednesday 19 April 2023 at 7.00 pm at in The Cabin at St Mary's

*The Public and Press are cordially invited to be present. The order of business may be varied at the Chairman's discretion.*

All members of the Council are hereby summoned to attend for the purpose of considering and resolving upon the  
business to be transacted at the meeting as set out below.



Gail Stoehr, Clerk, 13/04/23

### AGENDA

#### Open Public Session including reports from the County & District Councillors

- 1 **To receive apologies for absence and to note the resignation of Cllr Krishnamurthy**
- 2 **Declarations of interest**
  - 2.1 To receive declarations of interests from Cllrs on items on the agenda and details of dispensations held
  - 2.2 To receive written requests for dispensation and grant any as appropriate for items on this agenda
- 3 **To approve the minutes of the previous meeting on 15 March**
- 4 **Matters arising or deferred from the last or previous meetings for discussion/decision**
  - 4.1 (Open) Hardwick Pre-school – to consider grant application for re-surfacing outside area
  - 4.2 (7.4) Meeting with Stagecoach – to consider any matters arising from the meeting on 5<sup>th</sup> April
  - 4.3 (7.5.1 and 7.5.2) Community Transport Initiative – to consider any matters arising from the letter to the Mayor or the Uber-style transport option
  - 4.4 (7.6) Meeting with Hill regarding residents' concerns – update on Dan Brown's attendance at a meeting (PR)
  - 4.5 (4.2 of 15.2.23) Pavilion lease – to consider valuation received and any recommendation from the Working Group (AG, CP)
  - 4.6 (4.1) New Hardwick Community Centre to receive an update report from Cllr Rose on the tenders received and consider if any further action is required regarding the business plan, term and amount of the loan application, the budget forecast for FY2025 and the public consultation
  - 4.7 (5.3) To consider additional bank signatories
  - 4.8 To review the Council's policy regarding payments
  - 4.9 (4.4) To re-consider the Parish Council's appointment to Speedwatch
- 5 **Finance, risk assessment and procedural matters**
  - 5.1 To consider any quotes for urgent work required because of risk and the Clerk's use of delegated powers
  - 5.2 To receive play areas and skate park inspection reports and consider if any work is required
  - 5.3 To receive the financial report and approve the payment of bills
  - 5.4 To consider room bookings for the venue from June onwards
- 6 **To consider any planning applications and decision notices and tree works applications \***
  - 6.1 Planning applications and appeals
    - 6.1.1 23/01045/TELNOT – Near 17 Ashmead Drive – Installation of 1 x 9m light pole
    - 6.1.2 23/00841/CL2PD – 1 Ashmead Drive – Certificate of lawfulness under S192 for replacement of existing conservatory with a single storey rear extension
    - 6.1.3 21/03438/CONDE – Land at 147 St Neots Road – Submission of details required by conditions 9 (surface water drainage) and 11 (surface water maintenance) of planning permission 21/03438/FUL
  - 6.2 SCDC decision and appeal notices and correspondence
  - 6.3 Tree works applications
    - 6.3.1 23/0301/TTCA – 26 Main Street
- 7 **Members reports and items for information only unless otherwise stated**
  - 7.1 New Housing Developments and Planning Obligations
  - 7.2 Community Centre update

\* NB Some planning and tree works applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current planning application consultations on <http://plan.scambs.gov.uk/>

7.3 Proposal that consideration be given to a response to the resident who has reached out in the Parish Facebook Page and has requested an explanation for the raise in the Hardwick component of the Council Tax. The Council to agree unanimously on a post explaining the process and reason to be posted on social media? <sup>(PR)</sup>

**8. To consider any correspondence/communications received requiring formal noting by or a decision of the Council**

8.1 Speed Watch – Parish Council obligations regarding the MVAS equipment

8.2 Resident – Millers Way – future maintenance arrangements

8.3 PB Circuit Training – request to use the hard courts and surrounding grass for fitness classes

8.4 Resident – Request that the Parish Council cut down the tree stumps on the recreation ground to the rear of their property

8.5 CCC 20 mph scheme (deadline 30 April) to consider if an application is to be made

**9. Closure of meeting**

---

\* NB Some planning and tree works applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current planning application consultations on <http://plan.scambbs.gov.uk/>

## CLERK REPORT TO HARDWICK PARISH COUNCIL MEETING ON 19 APRIL 2023

Type or copy website links into your browser for more information.

Where I have supporting information this may be found below or in the attached supporting papers.

1. To receive apologies for absence – will be reported to the meeting.  
Cllr Soumya Krishnamurthy has resigned from the Parish Council. Ms Krishnamurthy wishes to remain as a member of the two working groups i.e Community Transport and also the New Community Centre Loan and Business Plan. She has asked may she retain use of her Council email address and also the Zoho box. The latter is contrary to the decision at the last meeting. Pursuant of S87(2) of the LGA 1972 the Returning Officer is now waiting if an election is called. If not then the Parish Council will be advised it may co-opt.
2. Declarations of interests – members should declare their interests state why they have an interest, the type of interest held and if they have a dispensation state this and the extent of their dispensation i.e. to either speak or speak and vote. If members have a pecuniary interest, having declared an interest they must not take part in the agenda item unless they have been granted a dispensation to do so.
3. To approve the minutes of the previous meeting on 15 March – attached
4. **Matters arising or deferred from the last or previous meetings for discussion/decision**
  - 4.1 (Open) Hardwick Pre-school – to consider grant application for re-surfacing outside area  
Attached.
  - 4.6 (4.1) New Hardwick Community Centre to receive an update report from Cllr Rose on the tenders received and consider if any further action is required regarding the business plan, term and amount of the loan application, the budget forecast for FY2025 and the public consultation  
Cllr Rose's report has been circulated. The Council should consider if it is confidential at this stage or if it is to be published on the website.
  - 4.8 To review the Council's policy regarding payments  
The Council's policy is  
"The Clerk to ensure that copies of all current outstanding invoices and salary payments are emailed to ALL councillors at least one day before the meeting (by 5 pm the previous day) thus giving adequate notice for reviewing should there be a query. The Bacs payment process should only take place after approval of only those invoices/salary payments that have been sent within the adequate notice period, a show of hands at the monthly PC meeting or email approval by councillors. Invoices/salary payments that have not been sent with adequate notice as above would not be considered acceptable for approval. (added March 22)"
  - 4.9 (4.4) To re-consider the Parish Council's appointment to Speedwatch  
Speedwatch has declined the Council's appointment of Cllr Gill as its representative to assist with Speedwatch.
5. **Finance and risk assessment and procedural matters**
  - 5.1 To consider any quotes for urgent work required because of risk and Clerk's use of delegated powers  
None at the time of writing.
  - 5.2 To receive the financial report and approve the payment of bills  
Attached.
  - 5.6 To consider room bookings from June onwards  
The room is currently booked up to and including the June meeting.
- 6.1 Planning applications and appeals  
NB Some planning applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the

District Council. For more information see the current planning application consultations and appeals on <http://plan.scambs.gov.uk/swiftlg/apas/run/wchvarylogin.display>

- 6.1.1 23/01045/TELNOT – Near 17 Ashmead Drive – Installation of 1 x 9m light pole
- 6.1.2 23/00841/CL2PD – 1 Ashmead Drive – Certificate of lawfulness under S192 for replacement of existing conservatory with a single storey rear extension
- 6.1.3 21/03438/CONDE – Land at 147 St Neots Road – Submission of details required by conditions 9 (surface water drainage) and 11 (surface water maintenance) of planning permission 21/03438/FUL

6.2 SCDC decision and appeal notices and correspondence for info only - to note

- 6.2.1 23/00440/HFUL – 23 Grace Crescent – Loft conversion with front or rear facing dormers, internal wall removal – Permission refused by SCDC.
- 6.2.2 23/00228/PRIOR – 11 Sudeley Grove – Ground floor rear extension – Prior approval not required.

6.3 Tree works applications

Tree works applications may now be viewed on the SCDC Planning Portal. NB Some tree works applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current tree works application consultations on

<http://plan.scambs.gov.uk/swiftlg/apas/run/wchvarylogin.display>

- 6.3.1 23/0301/TTCA – 26 Main Street

**7. Members reports and items for information only unless otherwise stated**

7.1 New Housing Developments and Planning Obligations

7.2 Community Centre update

7.3 Proposal that the Parish Council approves a response to a Facebook enquiry about the Hardwick component of the Council Tax

Cllr Rangadurai writes “A resident has reached out in the Parish Facebook Page and has requested an explanation for the raise in the Hardwick component of the Council Tax. May I request this to be added to the agenda that the council can agree unanimously on a post explaining the process and reason to be posted on social media?”

8. **To consider any correspondence/communications received requiring formal noting by or a decision of the Council**

.

8.1 Resident – Millers Way – future maintenance arrangements

“As a resident, I would like to submit the attached for review and comment by the Parish Council, please. I appreciate there is still some final work to be done but the upgraded Millers Way certainly looks better and more fit for purpose than the gravel and puddle version it replaced.”

Attached.

8.2 PB Circuit Training – request to use the hard courts and surrounding grass for fitness classes

“PB Circuit Training has written “ I have been asked by a few local residents to start up an outdoor fitness class in Hardwick as I've been told the old one no longer runs. I currently take sessions in Papworth and in Great Gransden [www.pbcircuittraining.com](http://www.pbcircuittraining.com)

I will be looking to use the multi-use hardcourt area and surrounding grass. I really hope this is OK

I know how much it will benefit the local residents as it has in my other locations so would be great to get everyone up and active again in the village.”

8.3 Resident – request that the Parish Council cut down tree stumps on the recreation ground to the rear of their property

“We had some trees cut back by the council in 2021 that are at the back of our property



There have been stumps left behind. This wouldn't be a problem but we have recently seen someone use the stumps to stand on and peer over into the garden. We are worried that this is a bit of a security risk. I've attached a picture of the tree stumps.

We are wondering if the stumps could be cut right down to the base to prevent anyone using them to stand on to get over the fence?"

#### 8.4 CCC 20 mph scheme (deadline 30 April)

“The new 20mph process scheme is open, as of Monday 27<sup>th</sup> February 2023, and accepting applications. You can apply via the link below. The deadline for submitting the applications will be by Sunday 30<sup>th</sup> April 2023 at 17:00PM.

Further information on the process, funding available and application timeline is available on our website at <https://www.cambridgeshire.gov.uk/20mph-funding>”

#### 9. Closure of Meeting

# HARDWICK PARISH COUNCIL MONTHLY FINANCIAL STATEMENT

Apr-23

## Summary of previous month

Balance brought forward **£1,479,021.93**

## Adjustments and amendments

### Expenditure approved at last meeting/between meetings

FIRST LOCAL	DRAIN SURVEY	-188.40
CCC	PFHI 21/22	-4,548.09
DFM	DRAIN CCTV SURVEY	-960.00
UNITY TRUST	SERVICE CHARGE	-24.15

### Misc credits

UNITY TRUST	INTEREST	484.93
NS&I	INTEREST	2124.66
HMRC	VAT	16772.41
HSSC	RENT	1000.00

<i>Total Adjustments</i>	<u>£14,661.36</u>
Balance revised after adjustments	<u><u>£1,493,683.29</u></u>

## Bank Reconciliation to last statement

Account	Funds	Statement	Outstanding
Unity Trust Current Account	£34,684.71	£35,644.71	-£960.00
Unity Trust Deposit Account	£375,484.93	£375,484.93	
Cambridge & Counties Bank	£83,513.65	£83,513.65	
NS&I Income Bond	£1,000,000.00	£1,000,000.00	
<b>Total</b>	<b>£1,493,683.29</b>	<b>£1,494,643.29</b>	<b>-£960.00</b>

## Expenditure for approval

SALARIES		£579.34
CIVILISTIX	MILLERS WAY PROJECT MANAGMENT	1123.15
LGS SERVICES	ADMIN SUPPORT MARCH 2023	1603.28
CARTER JONAS	PAVILION VALUATION	1200.00
RH LANDSCAPES	GRASSCUTTING	390.00
CAPALC	AFFILIATION FEE	660.54

<i>Total expenditure</i>	<u>£5,556.31</u>
Balance c/f	<u><u>£1,488,126.98</u></u>

## Notes:





## **What has this got to do with me?**

When I asked back in 2019 why Millers Way was in such a poor state of repair, I was being told by Councillors it was an unregistered track with no known ownership. I like a challenge and found through simple Land Registry search it was easy to establish ownership (Persimmon Homes) and following discussion with the owners, they offered to upgrade the then gravel and puddle track to “road” status or provide a contribution for the PC to do so. I met Persimmon Homes Director March 2020 and introduced him to Tony Gill – Chairman at the time – for an Agreement to be concluded. I registered my concerns that the PC should try and obtain adoption by the County as the wrong Act was being used in determination, but was not on the PC at the time and was ignored.

As it transpired Persimmon Homes had **already** admitted ownership of the road in 2018 and had made the same offer to the County Council as they made to Hardwick PC. Their email to that effect is included in the Final decision put to the PC in Mr Stringers Report May 2018 – see Appendix N.

When the evidence of use was submitted by the Parish Council, nobody seemed to recall why the track was there in the first place. Whereas the County had submitted the Ordinance Survey Map (dated 1926) showing the track existed, it was never pointed out the track went in a straight line from St Neots Road to the Well and Water Pump (on what we now refer to as Pump Lane). With no running water in Hardwick, Chesterton Rural District Council records show there was no running water until 1951, there would of course have been necessary use of the track by residents collecting water. Why this was not addressed is a mystery for Parish Councillors at that time.

I append some extracts from the **Report** and facts that will be useful in discussion and of course the full CCC **Report** is available to view as is my correspondence of that time.

Please confirm the PC is to consider maintenance options for of Millers Way and advise what you may require from me as evidence to support the Village case.

Alan Everitt

2 Sadlers Close, Hardwick, CB23 7YE

**\*Report** on an application to record a public footpath running between St Neots Road and Worcester Avenue from James Stringer, Asset Information Definitive Map Officer, Cambridge County Council dated May 2018.

Report is rather lengthy and on record with the PC



## Appended

### Extracts from the CCC Report as paragraphed in the Report

#### 9. Landowner Evidence

9.1 *The whole of the claimed route runs over land that was developed for housing by Beazer Homes in the 1960's. Beazer Homes were bought by Persimmon Homes in 2001. Cambridgeshire County Council notified Persimmon Homes of the Definitive Map Modification Order application in February 2017. Persimmon homes have confirmed to the County Council that they are still the landowner for the claimed route. The landowner did not provide any evidence to support the application or otherwise. Copies of correspondence from Persimmon Homes are attached at Appendix N.*

#### 12 Maintenance

12.1 *The question of maintenance liability is not necessarily relevant to the determination of the application. Public rights of way may be maintainable at public expense, maintainable by somebody else or by nobody. If found to exist they should be added to the Definitive Map whatever their maintenance status. **It is however useful to know the maintenance status for the future management of the route, should public rights be found to exist. This is based on evidence.***

12.2 *The general, simplified, position is that all public footpaths in existence prior to the National Parks and Access to the Countryside Act, 1949, are maintainable at public expense, whilst those dedicated later are only maintainable if adopted or if created by order.*

12.3 ***It follows that the claimed route, if found to have been dedicated as a public footpath prior to 1949, would be maintainable at public expense.** In the present case, the claimed footpath is deemed to have been dedicated and accepted between 1987 and 2007. If an Order to record it on the Definitive Map and Statement is made and confirmed, the route would therefore not be maintainable at the public expense*

## **Evidence that could be presented**

- 1. The argument that mains water was not provided and therefore the Well and public pump were essential**
2. Map of the position of the “well” . The track we call Millers Way is on the OS Map provided by CCC Report Appendix L and shown to extend beyond the current position to join with a road (pre-Limes Road)
3. The pump is visible from the is shown at the pump on the corner of Pump Lane.
4. Chesterton Rural District Council Medical Officer of Health reports 1937 to 1953 show that mains water was not provided before 1951. Public Right of Way would have been essential to residents at that time.
5. Millers Way is the continuation into Hardwick of the public footpath from St Peter and St Paul Church in Dry Drayton – hence the construction requirement of the Blue Bridge over the A428. This may have been part of an old way to St Mary’s Church in Hardwick. This can be verified?

### **6. Evidence from residents Land Registry deeds**

For example, the fact that the well was in use and required to be maintained is evidenced in the Land Registry Property Register CB8365 for of 26 Hall Drive which states that:-

*1 (06.09.1947) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being The Roses, 26 Hall Drive, Hardwick, Cambridge (CB23 7QN).*

*2 The land has the benefit of a right to pass and repass at all times and for all purposes with or without horses, cattle and other animals and carts and other vehicles over and along the strip of land coloured brown on the filed plan, a right to draw and take water from the Well shown on the filed plan and a right of way thereto over the strip of land ten feet in width between the points marked A B and C on the filed plan and from the point B to the said Well over the footpath four feet wide between point B and the Well upon payment of a fair proportion of the cost of maintaining in good order and condition the said Well and the right of way thereto.*