

## **HEYWOOD TOWNSHIP COMMITTEE**

### **MINUTES OF MEETING Monday 25<sup>th</sup> September 2017**

**PRESENT:** Councillor Rush (Chair); Councillors Beswick, Dutton, Susan Emmott, Malcolm, McCarthy and Wardle

**OFFICERS:** P. Maynard, J. Simpson, A. Webster and S. Hay (Neighbourhoods Directorate), A. James (Resources Directorate)

**ALSO IN ATTENDANCE:** 5 members of the public

#### **APOLOGIES**

24 Apologies for Absence were received from Councillors O'Rourke and Robinson.

#### **DECLARATIONS OF INTEREST**

25 There were no declarations of interest.

#### **URGENT ITEMS OF BUSINESS**

26 There were no urgent items of business.

#### **ITEMS FOR EXCLUSION OF PUBLIC AND PRESS**

27 It was noted that Agenda Item 14, Compulsory Purchase Orders – Potential Sites would be considered on the Private Agenda.

#### **OPEN FORUM**

28 The following matters were raised as part of the Open Forum:-

a) Scout Jamboree – Lincoln 2017

Mr H Downham-Clarke thanked the Committee for their financial contribution which had enabled the attendance of a number of scouts from Heywood at the 2017 Jamboree in Lincoln and which had provided equipment that could be used in future by the scouts. The Committee welcomed the offer from the scouts to make a presentation to a future meeting about how the funds had been spent.

b) Bollard – Pilsworth Road

The Township and Engagement Officer informed the Committee that a question about alternatives to the rising bollard at Pilsworth Road had been received from Louis Tattersall and that he would respond direct to the questioner about the matters he had raised.

c) Former Mossfield School Site

The Township and Engagement Officer informed the Committee that a question about using the former Mossfield School Site as a skateboard park had been received from Louis Tattersall and that he would respond direct to the questioner about the matters he had raised.

d) Queens Park Stage

Mrs E Wintle-Yates asked when the stage at Queens Park would be rebuilt following it being burned down almost a year ago. The Chair informed the Committee that this matter was currently in the hands of the insurers and that the Council had organised a temporary stage for the recent Charities Fete event.

e) Dogs Trust Trail – Queens Park

Mrs E Wintle-Yates referred to a Dogs Trust trail that had recently been installed in Queens Park and that could be a safety risk for young children. Township Committee Members commented that they had not been consulted on the installation of the trail and asked the Township and Engagement Officer to look into this matter.

It was also requested that notice of events be given to the Friends of Queens Park.

f) Heywood Town Centre

Mr I Poole raised the matter of anti-social behaviour in Heywood Town Centre, especially with people congregating on Market Street and drinking alcohol.

The Chair commented that Township Members were working with the Police to try to address the issues that had been raised.

g) Pilsworth Road – Clearway

The Highways Officer was requested to look into when the clearway traffic regulation order proposed for Pilsworth Road would become operational.

## **MINUTES**

29 Decision:

1. That the Minutes of the meeting of the Heywood Township Committee held on 31<sup>st</sup> July 2017 be approved and signed as a correct record

## **CLAIM TO UPGRADE FOOTPATHS ROCEFP43 AND HEYFP11 TO BRIDLEWAY AND ADD A BRIDLEWAY TO THE DEFINITIVE MAP AND STATEMENT**

30 The Township Committee were informed that the Council is required to maintain and keep under review a map, the Definitive map, and statement showing the public footpaths and bridleways in its area.

One of the circumstances in which the map can be modified is an application to upgrade existing definitive footpaths, following the route being brought into question, to bridleways or, to add a route if evidence can be provided to successfully show that the way has been used by horse and rider for a period of 20 years or more as of right and without interruption in accordance with s.31 Highways Act 1980

The Council had received an application to upgrade two legal footpaths RocEFp43 and HeyFp11 to bridleway and to add a bridleway, the full route claimed was shown on the map appended to the report. The route provided an off-road link with Roods Lane and School Lane for horse riders and cyclist.

The applicant had provided sufficient evidence to comply with the legislation to enable the Council to proceed with the order following the legal procedure; Landowners had been consulted and had not raised any objections.

Alternatives Considered:

The only alternative would be to decline to make the Order. This would mean that the Council was in breach of its duty and would entitle the applicant to appeal to the Secretary of State under paragraph 4 of Schedule 14 of the Wildlife and Countryside Act 1981.

Decision:

1. That the Township Committee supports the claim to upgrade Footpaths RocEFp43 and HeyFp11 to Bridleway and add a Bridleway to the Definitive Map and Statement and the Council proceeding with a legal order to upgrade the footpaths and add the route to create a bridleway over the land as stated within the report;
2. That if no objections are received to the order that it be confirmed as an unopposed order under paragraph 6 of Schedule 15 to the Wildlife and Countryside Act 1981, and, if relevant objections are received that the order be referred to the Secretary of State for confirmation.

Reasons for the Decision:

Evidence had been provided to satisfy the Council and comply with s.31 Highways Act 1980 that a route had been used by the public at large on horseback for the required 20 years or more period.

Only landowners may raise relevant objections and show how they have attempted to prohibit the use by horse riders. Landowners had been consulted and had not raised any objection to the proposal. One landowner supported the claim.

A successful completed order would create a safe off road route for horse riders and cyclists.

Whilst pedestrians are currently the only legitimate users of the footpaths and this would create a multi user route, it was accepted to create routes that legally allow access to other users, a national route of a similar nature is the Pennine Bridleway that allows use by horse riders, cyclists and pedestrians.

Eligible for call in - yes

## **REVENUE BUDGET UPDATE 2018/19 TO 2020/21 AND SAVING PROGRAMME 2018/19 TO 2019/201**

31 The Township Committee considered a report detailing the latest position regarding the Council's Revenue Budget for 2018/19 to 2020/21.

Alternatives considered:

The item was presented for information.

Decision:

1. That the Revenue Budget position for 2018/19 to 2020/21 and the potential risks around the Revenue Budget be noted;

Reason for decision:

The Council is required to set a balanced budget for 2018/19 by the by 11th March 2018.

Eligible for call in - no

## **DISCRETIONARY FEES & CHARGES 2018/19**

32 The Township Committee considered a report seeking views on the proposed discretionary fees and charges for 2018/19.

Alternatives considered:

The Township Committee were being consulted and could provide views accordingly.

Decision:

1. That the proposed discretionary fees and charges for 2018/19 be noted.

Reason for decision:

The Authority carries out an annual review of discretionary fees and charges as part of the budget setting process. It is a requirement of this process that Members agree a general level of increase for all income streams taking into account the prevailing rate of inflation.

Eligible for call in - no

## **CAPITAL PROGRAMME 2018/19 TO 2020/21**

33 The Township Committee considered a report seeking views on the proposed Capital Programme 2018/19 – 2020/21.

Alternatives considered:

Consultation on the proposed Capital Programme is legally required.

Decision:

1. That the Capital Programme and provisional programmes for 2019/20 and 2020/21, be noted.

Reasons for decision:

The Council is legally obliged to set a balanced budget. Budgets are prepared in accordance with the approved guidelines.

Eligible for call in – no

### **PRESENTATION - COMPULSORY PURCHASE ORDERS**

34 The Township Committee received a presentation detailing a new rolling programme of compulsory purchase actions involving largely high profile sites and buildings. The programme was anticipated to run for three years with one million pounds per annum included within the Capital Programme.

Decision:

1. That the presentation be noted.

Eligible for call in - no

### **EXCLUSION OF PRESS AND PUBLIC**

35 Decision:

That the Press and Public be excluded from the meeting during consideration of the following three items of business, in accordance with the provisions of Section 100A (4) of the Local Government Act 1972, as amended.

Reason for Decision:

Should the press and public remain during debate on these items there may be a disclosure of information that is deemed to be exempt under Parts 1 and 4 of Schedule 12A of the Local Government Act 1972.

### **COMPULSORY PURCHASE ORDERS (CPO) - POTENTIAL SITES**

36 Members of the Township Committee were asked to identify sites that could be considered for CPO.

Decision:

1. That the sites identified by Township Committee Members be put forward for the CPO Programme.

Reason for decision:

There must be 'justification' for proceeding with a CPO, factors can include the number of complaints received by Members, loss of visual amenity, development requirements and gateway considerations.

Eligible for call in - no