

WHALLEY PARISH COUNCIL



Minutes of the meeting held on Thursday 15 November 2018 at
7.30pm in the Old Grammar School, Whalley.

Present: Councillor M Highton (Chairman)
Councillor J Brown (Vice Chairman)
Councillor M Fallon
Councillor D Sleight
Councillor J Threlfall
Councillor P Elson

Apologies received: PCSO Katie Ferguson, Parish Councillors Lois Rimmer, Cliff Ball

In Attendance: M Richardson – Clerk to Whalley Parish Council

Members of the public (16) – Ashley Tarry, Deborah Chatburn, James Chatburn, Linda Lamb, Linda Barker, Laura McKiernan, Wendy Clarkson, Judith Davies, Paul White, Julie Foley, Peter Foley, Michael Wedgeworth, Tony Brown, Paul Blane, Melissa Blane, Eric Ronan.

1418/18 to receive declaration of interests

Martin Highton and June Brown – Trustees of QE2 Playing Fields. Martin Highton, June Brown and Dave Sleight Whalley Sportspark Community Interest Company.

1419/18 to approve as correct the Minutes of the Parish Council Meeting held on 20 October 2018

It was resolved that the minutes of the Parish Council Meeting held 20 October 2018 be approved as a correct record.

1420/18 to adjourn the meeting for a period of public discussion (information only)

Tony Brown was present at the meeting and expressed his gratitude for the great deal of work that had been carried out by the volunteers on the Whalley Remembers Armistice Commemorations 2018. The plethora of events had proved to be a great success and over 1000 people turned up for the Remembrance Parade. He noted the role of the Scouts and Guides, The Royal British Legion, Calderstones NHS Trust and Parish Council.

He also went onto express his thanks for the work of Parish Councillor John Threlfall in supporting the residents that opposed the application to extend the opening hours of Bradys.

Michael Wedgeworth (Whalley In Bloom) attended the Hearing of Bradys application to extend opening hours. He expressed frustration and disappointment at the Ribble Valley Borough Council Licensing Committee ignoring the evidence put forward by residents and Parish Council regarding how this proposed extension to opening hours will lead to an increase in public nuisance, crime and disorder. He went onto ask the people present at the meeting whether it was now time to organise a public meeting to try and more effectively bring about a change to the existing problems that seem so unfairly weighted in the favour of the Licensee.

He reiterated that Ribble Valley Borough Council was well aware of the impact of the Growth in the night time economy in Whalley. The concerns were reiterated by the 16 members of the public that had turned up for the Parish Council meeting. The Borough Council submitted a report to Licensing Committee in September 2018 stating that a formal review of the existing Licensing Policy Statement was required. To date no details or timescales had been released by the Borough Council about this critical piece of work. He did not understand why it was taking Ribble Borough Council so long to come up with a plan to address these problems. In the meantime residents would continue to endure anti-social behaviour problems until the Borough Council acts.

Martin Highton stated that he had spoken to Diane Rice the Borough Solicitor and she would contact him over the next two weeks with further details of the Cumulative Impact Assessment. He also stated that he would raise the matter at the Parish Council Liaison Committee later in November 2018.

The granting of the Licensing Application for Bradys left two options to try and change the hearing decision of Ribble Valley Borough Council Licensing Sub Committee. The first option being to lodge an Appeal with the Magistrates Court and this was time limited – 21 days from the Notice of Determination being posted by the Borough Council to representatives who attended the Hearing. There was a feeling amongst residents that they were at a significant disadvantage specifically relating to legal rules of evidence. Bradys Solicitors relied heavily upon this in submitting their case and dismissing residents accounts. As lay people, residents were unable to effectively challenge the rules of admissible evidence. Going to Appeal could run the risk of being liable to pay the Applicants Costs should the Appeal fail and this could run into thousands of pounds. To reduce risk of failure at Appeal the residents would probably require expert legal advice and this would also have a cost implication. The second option is to monitor the Applicant over the Festive Period to see whether they are able to honour the conditions set out in the new licence. This would mean reporting noise, litter, vomit to the Borough Council and public order or criminal offences to the Police. In the New Year , residents could then consider seeking a Review of the Bradys Licence should they fail to honour the conditions.

No resolution was put forward by the Parish Council but residents were urged to put pressure on their local MP and Leader of Borough Council to ensure that the Cumulative Impact Assessment is undertaken as a matter of urgency.

1421/18 **to receive minutes of other Committees**

The minutes were received of the Planning Committee meeting held on 20 October 2018 and Precept Meeting held on 1 November 2018.

1422/18 **Update – Bradys Variation of Licence (verbal)**

John Threlfall represented Whalley Parish Council at the Hearing. He began by thanking Borough Councillors, Mike Wedgeworth (Whalley In Bloom) and not least of all residents. He gave an account of the Hearing proceedings. The Applicants Solicitor stated that the Council's Environmental Health Officers and Police stated there were no significant problems. The evidence submitted by on behalf of residents could not be attributed to Brady's and the January 2018 report in the Lancashire Evening Telegraph was no more than sensationalist journalism. He went onto add that the concessions offered by Bradys were far beyond what would be expected and the mediation meeting resulted in no new information.

Although the application was successful it did result in a number of conditions being imposed including noise limited devices being used to play live or recorded music, blinds fitted to the windows East and South of the premises, cleaning the area of Queen Street between the premises and the junction to Accrington Road on Friday and Saturday at the end of trading. He went onto state that there was a right of Appeal and the pros and cons of this course of action. The other option was to ‘watch like a hawk’ and report any breaches of the new Licence conditions. Finally, he stated that on more than one occasion Brady’s solicitor commented that things might have been different had the Cumulative Impact Assessment been undertaken and in place. He reiterated ‘ We need to ensure this piece of work is done as a matter of urgency.’

1423/18 Councillor Update

Councillor Martin Highton proposed a vote of thanks to all the volunteers involved in the Whalley Remembers commemorations.

Councillor Mike Fallon and Philip Elson had nothing to report.

Councillor Dave Sleight reported that the Whalley, Wiswell and Barrow Joint Burial Committee held a meeting on the 9 November. The water tap at the far end of the cemetery is now in place. A memorial safety inspection had been carried out and approximately 40 graves will need to be made safe. Six graves require immediate attention and the rest will be secured as soon as possible. Discrete hazard tape had been tied around each memorial requiring further work. Preparation work for the Memorial Garden had been agreed which will include the creation of a footpath, footings for a commemorative wall, drainage and levelling of the site. Several draft policies had been approved including a Complaints Procedure. A decision was taken to replace the retaining wooden slats which border the Woodland path.

Councillor June Brown stated that Whalley Parish Council had met in early November to set the Precept. A significant amount of time had been spent volunteering for the Whalley Remembers events and this included being present for the celebrations hosted by Oakhill School at the Cenotaph and the Firework Display following the beacon lighting on Whalley Nab. June Brown also highlighted and thanked the work of the Whalley In Bloom Group that had achieved “Best village in the North West.’ This is the highest accolade that has been awarded to Whalley from this competition. She noted that the Parish Council Chairman will switch on the Christmas Lights in early December. Time had been spent offering support to the residents adversely affected the Application to extending opening times for Bradys.

1424/18 QE11 Trust and Whalley Sports Club Trust - Land ownership

The Parish Council passed two resolutions:

- A) Whalley Parish Council will accept legal freehold ownership of the Sports Club Land, currently leased by Whalley Sports Club Trust, should the latter choose to surrender the leasehold early.
- B) Whalley Parish Council will seek to grant a new lease for a unified site to Whalley Community Sport Park (Community Interest Company). This will include the parcel land currently leased to QE11 Trustees by Whalley Parish Council and the parcel of land described in sub section (A) that is leased to Whalley Sports Club Trust.

This will not affect the Public Rights of Way identified on the Definitive Map of Public Rights of Way (maintained by Lancashire County Council) that cuts through above sites - Footpath numbers 3-45-FP22 and 3-45 – FP 22.

1425//18 **Authorisation of Accounts, Payments, Receipts and Balances for September 2018.**

It was resolved to accept the Accounts, Payment, Receipts and Balances for November 2018

1426/18 **Clerks Report**

The Clerks Report for November 2018 was accepted.

1427/18 **Borough Councillors Report**

The Borough Councillors were not present at the meeting.

1428/18 **Armistice Commemorations 2018**

Councillor Cliff Ball was absent but submitted a written report that was read out by Councillor June Brown. This report thanked all key individuals/organisations for financial and social support in making the event a memorable success with over 1000 in attendance on Remembrance Sunday.

1429/18 **To approve the date of the next meeting of the Parish Council as 7.30pm Thursday 17 January 2019a**

It was resolved to hold the next meeting of the Parish Council on Thursday 17 January 2019.

The meeting closed at 9.20pm

Signed: _____ Date: _____