

ELDON PARISH COUNCIL

EXTRA-ORDINARY MEETING

**Eldon Community Centre
Eldon**

**Tuesday
21st JUNE 2016**

Time 6.30 p.m.

Present:

Councillor John Gibson **in the Chair**

Councillors Diane Pennington and Toni Wallace.

County Councillors Trish Pemberton and Brian Stephens.

Tom Bolton – Parish Clerk.

PC Daniel Blackwood – Police.

D30/16 APOLOGIES

An apology for absence was received from Councillor Paul Henry due to work commitments (approved) and County Councillor Henry Nicholson.

D31/16 DISCLOSURES OF INTERESTS

Councillors Gibson and Pennington declared interests in relation to Item 4 (land issues), in relation to which dispensations to speak and vote had previously been approved by the Council.

D32/16 APPLICATIONS FOR DISPENSATION

There were no applications for dispensation.

D33/16 EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the remainder of the meeting because of the confidential nature of the business to be transacted.

D34/16 ILLEGAL GRAZING OF HORSE ON LAND WEST OF PASTURE ROW

The Clerk outlined the background to the grazing of a horse without permission on land owned by the Council to the west of Pasture Row.

The owner of the horse had been served with a letter by recorded delivery on 8th June and also by hand on 10th June, advising that permission had not been sought from the Council and instructing him to remove the horse (a stallion) forthwith, or the Council would itself remove the animal and seek to recover the costs of so doing. The owner was also warned that the field was crossed in one corner and along one of the boundaries by a public right of way and that the Council would accept no responsibility for any injuries caused to members of the public by the horse.

The purpose of the extraordinary meeting of the Council had originally been to obtain the necessary resolution to have bailiffs specialised in this area of work remove the horse. However, since the service of the second letter, the horse had been removed the day following the deadline given. Details were provided of the costs involved for the bailiffs to

remove horses being illegally grazed and these were noted for future use if required. Members were of the view that the Council should strongly consider taking the necessary actions in future, if necessary, to deter illegal grazing on Council land and remove horses.

The Clerk then advised that the intention of the agreement with the prospective tenant was (as with an agreement for grazing on other land) that the tenant would erect fencing to the Council's satisfaction and the cost of this would then be deducted from any future rents – this would result in a saving for the Council. However, it was clear that fencing needed to be erected as soon as possible to deter and prevent future illegal grazing on the area of land west of Pasture Row on which the illegal grazing had taken place. A local contractor had been identified in the locality who had carried out fencing works for adjoining Parish Councils and it was suggested that a price be sought for the necessary works and that if considered reasonable, the works should be undertaken. It would be necessary to suspend relevant Standing Orders and Financial Regulations to undertake the works within the relevant timescale and to the standard necessary.

PC Dan Blackwood referred to the legal issues involved and circulated a briefing note

RESOLVED:

1. That the actions of the Clerk in consultation with the Chairman to date be confirmed and approved.
2. That approval and the necessary delegations be given to the Clerk in consultation with the Chairman or Vice-Chairman for the engagement of a local contractor, MH Fencing, to undertake the necessary works, subject to the cost and that Standing Orders and/or Financial Regulations be suspended as necessary because of the need to put the fencing in place as soon as practicable.