

Nunthorpe Parish Council
Minutes of Extra General Meeting Held Wednesday 14th December 2015

PRESENT:

Ken Tomlinson (Chair), John Harrison, Charles Morrish, David Leyland, Stephen Thomason, Frank Robinson.

IN ATTENDANCE:

Ward Cllr. Jon Rathmell, Ward Cllr. Lesley McGloin, Angela Livingstone (NPC Clerk).

APOLOGIES FOR ABSENCE:

Gamini Wijesinghe (family matters), Jo Turner (due to work commitments Cllr Turner will be absent from meetings until January 2016).

1.0 DISCUSSION ON 80 COOKGATE:

Mayors view

The Clerk summarised a telephone discussion with the Mayor.

The Mayor could not understand why the Parish Council were still pursuing this matter. He felt that this will only be a one-off occurrence and that a president had not been set. He reported that Middlesbrough Council would challenge any further occurrences. He stated that he believed the decision could have gone either way and that Officers are employed to make decisions. The Mayor cannot make all the decisions himself and he stands by the Officers decision on this matter.

The Mayor asked that the Parish Council look at suggesting how this topic is approached in the future and it was agreed that, following the public meeting, consideration is given to his comments and a date arranged to meet in the New Year to discuss this further along with a small number of other local matters.

Cllr Tomlinson agreed that the matter must be moved forward and informed the meeting that a second property being 6 Towthorpe has also erected a fence and claimed extra land within the last few days. Cllr Leyland added that the Mayor is incorrect and that this is not a one off occurrence and he believed this same land grab will occur with a further 6-8 properties along the same patch of land.

Cllr Thomason advised that a community cohesion document signed by Martin Shepherd on 6th July, states no to the question of 'could it impact negatively on neighbourhood'. He asked that this is challenged.

Ward Cllr Rathmell update

Ward Councillor Rathmell advised Parish Councillors on past events and stated that Middlesbrough Council had decided to split the matter into two issues, one regarding the land and one regarding planning. He informed that the matter of 80 Cookgate was discussed by the Executive subcommittee which the Ward Councillors were not given any notification of until beyond 5 days, at which point it was too late to make any objections.

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Councillors discussed the behaviour of planning officers at the planning meeting which concentrated on the fence planning application; all believe that the planning officers acted inappropriately.

Following discussions with the police Ward Cllr Rathmell found that incorrect information had been provided at the planning meeting. There had been no reported anti social behaviour. Cleveland Police did not pay for the fence. Victim support had paid for the planning application.

Ward Cllr Rathmell informed Councillors that Middlesbrough Council was avoiding answering his questions. He advised that the owner of 80 Cookgate could not claim just a small part of the land. Cllr Rathmell to send detailed information to Parish Councillors. **ACTION: Ward Cllr Rathmell**

Members discussed Middlesbrough Council claiming all of the unregistered land which has been maintained by them and used by the community for 42 years. All members agreed that it seemed that the council were happy to relinquish land to save them the need to maintain. Middlesbrough Council stated they would challenge any future land grab. However if they do challenge it was felt that this would weaken their decision for 80 Cookgate to keep the land. Cllr Thomason stated that if it is decided to challenge the owners of the property on Towthorpe would Middlesbrough Council not be best to register a claim for the full area of unregistered land? Ward Councillor Rathmell clarified that 80 Cookgate did not own the land just because a fence was erected.

Parish Councillors discussed placing a land registry claim via a “warding for registration” and working together with the Ward Councillors to ensure that the land has continuation of use. It was suggested that if any objections were to be successful, it would result in the fence coming down. Ward Cllr McGloin advised that she is investigating the fence line at 6 Towthorpe.

Cllr Tomlinson enquired the process which is followed by the Executive Sub Committee. Ward Cllr Rathmell explained this and stated that the process was not followed prior to the meeting as they had not been consulted. He informed that they would normally have 5 days to challenge any decision, however when they received the email notifying of the meeting it was 7 days past.

Ward Cllr Rathmell brought forward ideas of a petition after the New Year which he hoped may get a positive response, which the Parish Councillors agreed with and asked that he look closely at the Freedom of Information request, to which he requested that the Parish Council lodges a further request in January 2016 which was agreed to be discussed further at the January meeting. **ACTION:Clerk**

Ward Cllr Rathmell to advise further on making a land registry claim and to search for parcels of unregistered land around Nunthorpe. He added that a register of **warning against first registration** was low cost and straightforward. If this action is taken a notice would be served on 80 Cookgate, along with possibly a TR4 from Middlesbrough Council.

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Ward Cllr Rathmell advised of a discrepancy on the information regarding the timescales given and that Middlesbrough Council should have notified the Ward Councillors regards the unregistered land claim. All agreed that the Executive sub committee should have acted when they were first aware of the intention in 2014 and not waited until after the fence was erected.

Parish Councillors agreed that full knowledge and options for a clear idea of responsibility as individuals and the Parish Council would be required prior to lodging any information with the ombudsmen.

All members agreed that a joint meeting should be organised with the Mayor to save time. All agreed that a meeting needs to go ahead as it is important to obtain a better working relationship. Ward Cllr McGloin reported that the Mayor is invited to the Community Council meeting on February 23rd 2016.

It was resolved that this issue be an Agenda item for the January meeting and that comments should be forwarded to the Clerk for compilation and distribution, together with actions noted earlier in the meeting.

ACTION:ALL MEMBERS

**With no further business to discuss, the Chair closed the meeting at 8.25pm
and thanked Members for their attendance.**