

Bringsty Common Manorial Court

Minutes of the Ordinary Meeting on 2nd November 2016 at Whitbourne Village Hall

Present:

Allan Corder, Tom Fisher, Mike Harrison, Tim Phillips, Paul Friend, Carol Friend, Peter Hall, Sue Long, Claire Hall
Nigel Shaw (ward councillor), Anne Evans (Whitbourne PC), Jenny Creek (clerk)

1. Apologies for absence

none

2. Chairman's report

Most of it is covered by the agenda, but there are two recent items. George Thompson (Herefordshire County Council) says that there is some talk of tarmac-ing part of the track down to the Live and Let Live, probably down as far as the first access tracks i.e. the steepest part. The road is currently in a poor state, despite having recently been repaired; this will continue to be the case unless it is properly surfaced. The committee was asked for their comments which would be fed back to George. Various opinions were expressed: residents might expect the access tracks to their properties to be treated in the same way; the possibility of speeding (but speed bumps could be installed); however, despite these reservations it might be the solution to maintaining the most heavily used and steepest part of the track. It was pointed out that it might need gritting in the winter.

The chairman then raised the subject of a lower speed limit on the A44 (i.e. 30 mph), and suggested that the parish councils might be able to help. Anne Evans said that there had been an earlier attempt to achieve this, without result. The chairman asked for confirmation that he had the support of the committee and the parish councils if he tries again. Cllr Nigel Shaw said that he had already unsuccessfully raised this with the council; he also felt that the police would also object on the grounds of having to enforce it. There is a backlog of road traffic orders which are prioritised by safety issues; a fatality would be the only way of moving to the head of the queue. The committee confirmed its support if the matter is progressed.

3. Treasurer's report

There is nothing to add to the report given at the AGM.

No further expenditure has been incurred on Drovers' Pond so the sum available for maintenance is still £2469.82.

The expenses for the A.G.M. came to £118.04
The spreadsheet is accurate (including cheques not cashed) as of
27/10/2016

The chairman referred to the question raised at the AGM about moving money into the investment account. The treasurer said we should leave a sum in the business account amounting to twice our grant (he suggested £12,000), the rest could be moved into the investment account. This was agreed.

4. Official Business

a. Election of Chair, Vice Chair and Treasurer

The following were elected:

Chairman: Allan Corder proposed by Sue Long seconded by Tom Fisher

Vice Chairman: Tom Fisher proposed by Allan Corder seconded by Mike Harrison

Treasurer: Mike Harrison proposed by Allan Corder seconded by Sue Long

b. Co-options

None. The clerk had been co-opted at the AGM

c. Annual Audit

As stated at the AGM, Mary Seldon has agreed to perform the annual audit. The Chairman has written to her to confirm the arrangement.

d. Nomination process for election to the committee

Allan wondered if the nomination process could be improved. Various suggestions were put forward and discussed, but Tom Fisher felt that we should stick to the procedure laid down in our current constitution. New rules could be included as part of the new constitution. A vote was taken on whether or not to stay with the current arrangement. The majority were in favour of staying with the existing arrangement, but it was agreed that nominations should be made at least 2 weeks before the AGM. This stipulation will be added to the nomination forms.

e. Insurance issues

This arose out of correspondence between Peter Bridge, Allan and Nigel Shaw. Nigel had expressed the view that the current arrangements for ensuring that our contractors' insurance is valid, is too informal. HCC requires all its contractors to carry £5M of public liability insurance. The situation is unclear where BCMC have invited a contractor to operate on the Common who is not being paid for the work (e.g. Brackenburn). This is further complicated if they employ sub-contractors to do the work. We should ensure that they have insurance in place and we should record that

we have done so. Paul said he always asked our main contractor Hugh Davies for a copy of his certificate. Nigel said this was acceptable but it should be recorded that it had been done. Allan agreed to ask Barry Smith (Brackenburn) to ask his contractors for a copy of their insurance. However, he requested that it is recorded in the Minutes that he is not prepared to guarantee the content of any such document.

f. Dates of meetings for 2017

The following dates were agreed for meetings in 2017:

Ordinary meetings: 22nd February, 3rd May, 13th September, 8th November.

These are all Wednesdays.

AGM: Saturday 21st October.

The clerk will book the hall for these dates. (*Post meeting update: these dates have been confirmed*).

5. Parish Reports

a. Ward Councillor - Nigel Shaw

Nothing to report

b. Brockhampton PC - Paul Friend

There have been a few changes to the council; the parish clerk has resigned and not yet been replaced; the vice-chairman is ill. However there is plenty of money in the bank.

c. Whitbourne PC

Nothing to report, but Anne Evans did remind the committee of the forthcoming referendum on the village neighbourhood plan. Voting takes place on 4th November, for anyone living in the parish.

6. Public Questions

None

7. Matters Arising from Minutes of last meeting

a. Re-convening of constitution sub-committee

The sub-committee will be re-convening on Thursday next (10th

November). It will consist of Tom Fisher, Paul Friend and Mike Harrison.

Tom invited participation from the other committee members. There were no takers.

b. Notice board

Tom has chased Graham yet again. Graham has promised to do it during the Christmas break.

c. Website

Allan has communicated with Ollie (Bullock). The new site is not yet in the public domain but can be viewed at bringstycommon.com/try. Ollie has provided some suggestions for content of the BCMC pages. Currently the site contains the Common bylaws and some walks. Allan felt that the

Minutes of all the meetings should be included. Ollie had queried whether the committee members' details should be published. Allan pointed out that they are already available in the Commoner and asked the committee members if they accepted this. It was agreed, providing the details match what is already in the Commoner. Nigel suggested that these should be contained in a PDF file and not published as hyperlinks. If email addresses are included the @ should be replaced by (at) to frustrate copy and paste. As a start the committee agreed that the AGM Minutes should be published.

Anne Evans mentioned that there is a Whitbourne common website (www.whitbourne.org.uk) on which a link to the Manorial Court pages could be included if desired.

Allan said he would draft an introduction to BCMC for the website and send it to the committee for comment.

Action: Allan to draft an introduction

d. Management plan for the scrapes/splashes

It will probably down to us to maintain these now, which will probably consist of preventing regrowth of vegetation around them. There being nothing further to discuss, this item is now closed.

e. Gospel Oak

i) gate closer

Allan does not think a gate closer is necessary. The committee agreed. Item closed.

ii) display board

Allan, Peter and Tom are planning a laminated sheet which will contain a little information about the tree – age, ecology, etc. and will simply be attached to a board and nailed to the fence.

f. Mowing

i) letter to Dave Manton.

Allan has spoken to him. He has still not submitted his invoice for last year. He regards the Manorial Court as a charity (it is run by volunteers) and therefore treats us differently to his other customers.

ii) cutting of rides

Dave Manton does not have the equipment to cut and collect but he can adjust the height of cut. He personally thinks the rides should be cut twice a year. A discussion followed with various views expressed about how best to cut the rides. Tom felt that the maintenance of them was of particular importance to the residents on the common. Opinion was in favour of cutting twice a year. Mike reminded the committee that we only broke even last year because Dave had not submitted his invoice, but we may be able to balance the books as we will only be paying for cutting half the grass each year. Allan suggested that we ask the Treasurer to indicate how much we can spend, then we will decide how we allocate that to the various mowing tasks. We should try to get it sorted out with our contractors before the next meeting in February. Allan promised to include all the committee in any correspondence on this. He asked for the

committee's agreement to this approach. Paul was concerned that Natural England (NE) might have concerns if we deviate from our current agreement but was assured that they had expressed satisfaction with what we are doing. Allan said that the details of our revised plan will be written into our proposal for the new agreement in the hope that it will be acceptable.

Actions: Mike to provide annual budget for mowing/rides maintenance
Allan to communicate with committee and contractors

g. Hay - alternative uses

We will discontinue dumping this. The alternatives are burning or selling it. It is poor quality and could potentially contain items which make it unusable for animal feed. Nigel said that HCC have just commissioned a new incinerator for generating electricity and he has approached them to see if they would take the hay. He is awaiting their reply. It would be up to us to bale it for removal, at our cost. Hay is difficult to burn but this would probably be our only alternative so Allan asked Nigel to press this matter with the council. He agreed to do so.

Action: Nigel to pursue this idea with the council

h. HLS grant

There was a good meeting with NE and George Thompson. NE has signposted us to 3 or 4 areas where they think we could get grant support. They have also suggested investigating the possibility of getting a grant for woodland management from the Forestry Commission, whom Allan contacted. Consequently Dan Wenzek, a forestry agent, toured the common and will offer advice as to the best approach to obtaining a grant for woodland maintenance. We would expect to keep the area of existing woodland but perhaps get funding for coppicing, etc. With respect to the grant from NE, the whole process is still uncertain. The application process is competitive with no guarantee of success. If we are successful NE will help us with the details. For the forestry grant we have to deal with the Forestry Commission through an agent. There is no certainty of obtaining any money but now both NE and the Forestry Commission are aware of us. There was a brief discussion about grazing.

i. Power and Phone lines (tree issues)

Power lines are not a problem, but BT are not interested unless the line is disrupted. Nigel has spoken to George but the council is very unlikely to do anything. It is not a job for amateurs so we will have to accept the status quo.

This item is now closed.

j. Drover's pond

We would like to get a bit more water in the pond. John Poyner, a local contractor, has been invited to look at the possibility of digging out a small section and removing some of the grass in the top part of the pond to get an area of clear water. This work will be funded from the residue of the HLF grant.

Action: Tom to keep the committee informed

k. Fire notices

There was a brief discussion about the need for, and the efficacy of, fire notices. The conclusion was that this matter need not be progressed any further. Item closed.

I. Butterfly conservation

i) cutting of rides

This item was covered under section ii of item f (Mowing).

ii) scrub work

Paul had not yet spoken to Ashley but will do so. The timing of scrub cutting is not critical and it is easier when the bracken has died back, also Ashley is cheaper to hire when he is not busy.

Action: Paul to speak to Ashley

m. Tree strategy - replacement trees for Jubilee

Three small-leaved limes have been ordered. At the time of this meeting the ground is very dry so they may not even be dug up from the nursery, but if they are delivered and cannot be planted immediately they will be temporarily housed in Allan's garden where they can be watered. He asked for volunteer help for planting.

Action: Allan will let the committee know when they are ready for planting.

8. New Business

a) Dormouse study

Claire Hall and Paul Friend have received training from Rob Hemming on how to carry out a survey, to check the health, sex and weight of the animals. They are hoping to get licences to do this work on Bringsty. Paul has volunteered to make 50 boxes at a cost of approximately £3 a box (in contrast to purchasing them at £10 per box). Once completed the intention is to invite Rob Hemming to advise on siting them. There are two stages to the survey, putting out tubes to determine the presence of dormice (which we already know are present), then putting up boxes. Allan suggested we should delay box-making until phase 1 had been completed. There were various questions about aspects of the process which need clarifying. Claire was tasked to get answers to these and report back at the next meeting.

Action: Claire to resolve queries and report at next meeting

b) barn owl boxes

Peter suggested that the trees on the Jubilee would be a good place to site a barn owl box. A representative of the Woodland Trust has suggested we contact the Birds of Prey centre in Newent for advice on siting boxes. There is interest also in little owls. The committee agreed that he should approach the contact he has been given at the Bird of Prey centre. We know there are barn owls on the common.

Action: Peter to approach the Bird of Prey centre.

9. Any Other Business

a) Hedgehogs

Nigel raised this. He wondered if we could do anything to help housing/homing hedgehogs. The committee were all enthusiastic about this. Nigel agreed to do some research into this.

Action: Nigel

b) Ancient tree register

Peter contacted Jill Butler of the Woodland Trust (WT) to find out if the Gospel Oak is on the Ancient Tree register. She confirmed that it is. He

was then contacted by the local WT tree verifier who visited the common and identified 14 more trees to be added. He also commented on the work done on the Gospel Oak. There seems to have been a lack of communication within HCC because Andrew Cunningham, their arboriculturalist, was not consulted about the work. His views were contained in an email which Peter read out to the committee. He was concerned that future management should only be undertaken in consultation with all parties, including Jill Butler. If this is done then future works will be appropriate to the long-term future of the tree, and a tree preservation order would not be necessary. Peter feels that as a result of this, the tree is now safe from any threat to cut it down but Allan is very concerned about this lack of communication. Nigel suggested that Peter should forward Andrew's email to him, for passing on to George, once he had verified that George had not already seen it. Allan suggested that we should let everyone know that we are aware of this lack of communication within the council. He concluded the discussion by saying that he is sure the Gospel Oak will survive the recent pruning.

Actions: Allan and Nigel to communicate with George et al.

There being no further business, the chairman brought the meeting to a close.

The next ordinary meeting will take place on Wednesday 22nd February 2017