

## SHAP PARISH COUNCIL

### Minutes of the Extraordinary Meeting Monday 11th December 2017 at 7.00 pm Venue: Market Cross

#### Attendance:

Chairman:	Mrs J Jackson
Councillors:	Mr A. Sowerby, Mr. W. Jones, Mr D. Mallinson, Miss L. Millican, Mr. A Bindloss, Miss E. Stirling (Mrs J. Morris arrived too late to participate)
Clerk	Mrs J. Scott-Smith
Public:	Eighteen

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#### **PURPOSE OF THE MEETING: TO DISCUSS ISSUES WITH PUBLIC ACCESS AND RIGHTS OF WAY IN ROSGILL.**

##### **1/12/17 Public Participation.**

1.1 The meeting was opened by Mrs Jackson, the Chairman who read the policy regarding public attendance at Council meetings: *Meetings of the Parish Council are not public meetings but members of the public have a statutory right to attend meetings as observers. They have no legal right to speak unless the Parish Council Chairman authorises them to do so by prior arrangement. The sessions are limited to a maximum time set by the council*

**2/12/17 Apologies for absence** received from Cllr N. Lindwall.

##### **3/12/17 Chairman's Statement.**

3.1 The Chairman then read a statement on the issues at Rosgill:

3.2 Following a presentation made by CR on behalf of the Concerned for Rosgill action group the parish council had convened this extraordinary meeting to formally resolve to support the group or otherwise.

3.3 The presentation given on the 4<sup>th</sup> December at the Ordinary Meeting provided Parish Councillors a great deal of information on the background to an issue which is ongoing at Rosgill.

3.4 The area involved is believed to all intents and purposes to be a right of way and green area which has been enjoyed free of restrictions by the people of Rosgill since time immemorial.

3.5 Shap Parish Council have been assured on inspection of various maps and documents that the area marked in red on the plan is not registered to any person or estate and therefore following discussions at the meeting on the 4<sup>th</sup> of December Parish Councillors were unanimously minded to support the application to the LDNPA to declare the ancient track on this piece of land a BOAT. That is a Byway Open to All Traffic.

3.6 At the meeting on the 4<sup>th</sup> of December Councillors discussed the option of fronting the application to the LDNP, however during further discussions and advice taken from our legal support at the Cumbria Association of Local Councils they wish to avoid delaying the submission of the application due to council procedures.

3.7 The Chairman proposed to ask Shap Parish Council to pass a resolution to send a letter of support to the LDNPA accompanying the application which will be submitted on behalf of Concerned of Rosgill by an individual.

3.8 This will enforce the opinion that Councillors hold that the area concerned should be kept free and open for present and future generations of Rosgill residents.

3.9 The Chairman told all present that she did not propose to open this matter to further questions as it was fully discussed at the meeting on the 4<sup>th</sup> December.

3.10 Parish Councillors were allowed full opportunities to ask questions at that time and should be able to vote on what transpired at the time.

**4/12/17** Cllr Mallinson said that he was sorry that matters had come to this point in a small community.

##### **5/12/17 Council RESOLVED that a letter of support for the application be sent to LDNPA.**

5.1 *Proposed Cllr Mallinson, seconded Cllr Sowerby, all council present agreed unanimously.*

The meeting closed at 7.20p.m

Signed: *Jean Jackson* ..... (as a true record)

Date: 8<sup>th</sup> January 2018.