

2820 BANK RENTS Réply recd. from Messrs Barr Ellison on behalf of
 (R2/CR16/2734) Mr. D. Pearson denying the Council's claim. Reference
 was made to this matter as of joint concern of the
 Parish Council and Charity Trustees, and that both these bodies had
 agreed that this denial of the Parish Council's claim should not be acc-
 epted. AGREED: Clerk write accordingly re-affirming the claim to parish
 land, and restate the demand for the back 6 years rent owing by Mr. Pearson.
 AGREED also, (as in agreement with Trustees) Kings College be asked about
 the survey agreed between them and Mr. Pearson, which was to be made of
 the boundaries between King's College and Charity land.

2821 SIZE OF COUNCIL This had not been discussed by Council before and, after
 a short discussion, BCW, prop: JGC, sec. & AGREED: that the
 (R1/CR9) size of the Council remain unchanged.

2822 MONIES RECEIVED All allotment rents for the year 1974/75, viz:

	£
Easy, HWH	18.75
Beldon D.	4.88
Adams RCT	94
Woollard D.	94
Poulter S	1.88
Housden T	16.88
Froment L	66.58
Smith C	41.25

Total £59.10

The above sum had been deposited in Lloy's Bank, 27 October, 1975.

2823 BILLS FOR PAYMENT On prop. MW sec. BCW, following were AGREED for payment:

Berrycroft Stores	75 tree stakes	23.49	} 30.24
	75 " ties	6.75	
K.P. Humphries	Salary for NOV.	37.50	} 57.07
	Cash for R. Buck	13.00	
	posts. etc. NOV.	6.57	
	Total		£87.31

ANY OTHER BUSINESS

2824 REQUEST FOR AN EXTRA STREET LIGHT A letter from Shirley Lodge Residents Asscn. Ltd.
 asking for an extra street light to be installed at
 a dark area along the public footpath where there
 is danger. AGREED: pass this request to CC Highways Dept.

2825 BENE'T GARAGE TRADE SIGNS MW complained that trade signs standing on the pavement
 outside Bene't Ggge. obstructed both the pathway and
 the view of motorists leaving the garage forecourt to
 come out on to the main road (A10) AGREED: the Clerk approach the prop-
 rietor.

This concluded the business and the Chairman closed the meeting.

Signed: *R. Humphries* Chairman *5/1/76* Date.

CLERK'S REPORT FOR JANUARY 5, 1976 - R3

CR 23 (R2/CR15/2813) ALLOTMENT RENT REVISION Action taken: 1. Interview
with the CoLand Agent's representative - In this matter (as well
 as BY-PASSES: Allotments - CR20/2810) the mtg. was hardly satisfac-
 tory; the rep. maintaining he was not bound to produce a figure
 until later, and suggested we would equally be in order to deal in
 the same way with our tenants; a figure would likely be produced
 by him 'about May/June' (1976) - the increase to be effective from
Michaelmas, 1976. He also maintained that we had broken our Agree-
 ment in the manner of sub-letting and they were considering claiming
 re-entry into some of the allotments (about 5 acres?); he would
 provide us with a copy of the original Agreement.

2. In view of those statements I have looked into the legal side

(2 contd.) further and it appears (i) that the parish allotments may be held under the 1908 Allotments Act (which charges a local authority with the duty of providing 'sufficient allotments.. let to such persons resident in the parish and desiring to take the same' (one person limited to 5 acres but which is subject to modification with the consent of the County Council).

(ii) Under the 1922 & 1925 Allotments Acts an 'allotment garden' is defined (1922) as 'not over 40 poles' and to grow produce for own or family use and/OR (1925) 'any parcel of land not more than 5 acres as garden and/or farm.

(iii) Notice(s) of rent increase(s) (given under Notice to Quit) are defined as follows: (1922 Act) 'where land is let .. for use as an allotment garden, or is let to any local authority for purpose of being sub-let for such use, the tenancy of the land or any part shall not .. be terminable by the landlord by notice to quit or re-entry, notwithstanding any agreement to the contrary except by 6 months, or longer, notice to quit, expiring on or before 6 April, or on or after, 29 September.

Note: The 1922 Act deals especially with the giving of notice for allotments and it should be noted an 'allotment garden' is NOT a 'holding' to which the subsequent Agricultural Holdings Acts 1923 to date, apply, and consequently the terms of notice in the latter Acts will not apply to allotments coming within the definition of allotment garden (see ii, back)

(iv) All the above are subject to any repeal which may have taken place since 1947 (which I think unlikely)

(v) Conclusion: it would appear that the Council's (and Trustees') long-standing custom of giving 12 month's notice of rent increases has been a generous one rather than strictly legally necessary and that the CoLand Agent could be correct as far as the parish allotments are concerned (Note, some of the Trustees' land is probably, rightfully, classed as a 'holding' where 12 months notice is appropriate.)

(vi) Recommendation I suggest, therefore, that we turn the matter now over to Wild & Hewitson for the following reasons:

- a. I have done sufficient legal research to show that considerable doubts will remain with us unless we consult more experts as to, particularly, the procedure necessary to notify our own tenants, now that the County have left us with little time.
- b. In view of the CoLand Agent's declared intention to seek re-entry into, and thus deprive us of, part of the allotments, I feel that qualified legal advice is necessary to deal with it.
- c. As Messrs W & H (AGREED: MIN: 2810) are to negotiate the terms of compensation under the By-pass Compulsory Purchase Orders, Rent Revision could be conveniently negotiated by them at the same time.

++ Pending the Council's decision on the above recommendation and any action I have written in firm tones to the CoLand Agent asking for a full statement of their intentions and, (provisionally to confirmation of the legal position) also asked for a figure of the proposed rent increase to be available to us well before 6 April, 1976.

CR 24 (R2/CR19/2816) VILLAGE HALL INS: MUSIC & DANCING LICENCE Action taken: Mr. Martindale's advice: he feels that a parish council should not commit their successors to such an indemnity as is suggested; most village halls seem prepared to undertake this risk and he thinks it best to leave it so that if the Committee find themselves in financial difficulties they can approach the parish council. Accordingly, I recommend as in CR19 - that no change can be made.

- CR 25 (2809) DUTCH ELM DISEASE My attention drawn to an article (by MW) in which 'intensive research since 1969' and 'sensible series of statutory measures in an effort .. to save the remaining healthy elm population' The author, Tom Dalyell M.P. written to for further details.
- CR 26 (2814) CAMBRIDGE ROAD & COLES ROAD DITCHES Action taken: have spoken to the Environmental Health Officer who agrees it is pointless to leave rubbish which has been cleaned out of ditches to be thrown back, and he is asking the Engineer to take action.
- CR 27 (2824) REQUEST FOR EXTRA LIGHT: SHIRLEY CLOSE Action taken: County Surveyor asked to supply extra lamp as requested by residents on 2 December, 1975.
- CR 28 STREET LAMP nr. 10 Butt Lane: Reported failed twice recently. Action taken: complaint passed to Eastern Electricity, Dec. 5.
- CR 29 STATE OF PAVEMENT BETWEEN BENE'T Gge. & 81A CAMBRIDGE ROAD. Members will recall that, with difficulty, I extracted a promise from the Highways Dept. at the time of the 1975 Annual Parish Meeting, that they would treat the repair of this long-standing inconvenience urgently. Recently I have noted that several lengths of pavement in the village have been re-surfaced but this has not been touched. Action taken: I spoke to an Assistant County Surveyor on 5 December who was 'mystified' that this had not been done; he promised to inspect and put the work in hand immediately.
- CR 30 RATE ESTIMATES, 1976/77 Request recd. from SCDC Treasurer for a figure of requirements by January 12, 1976. Foll: summary of the Council's financial position:

Payments, 1975/76

to Dec:1975	£4935
est. to March:1976	
Changing rooms	? 1200
Sal: etc. say	150
	1350
+1. <u>Estimate of 1975/76 expenditure =</u>	<u>£6285</u>

Estimate of expenditure for 1976/77, based on above:

	from: 6285
deduct non-recurring payments as follows:	
Chang. rms:(Aug.)	1500
" ? Jan:76	1200
	<u>2700</u>
	3585
add: 20% for inflation (say700)	700
+2. <u>Estimate of expendtre. for 1976/77=</u>	<u>4285</u>

Bank balance at December, 1975 app.5700
 Repayable during year byVHComm: " 2440
 +3. Council's Credit for 1976/77shd.be £8140

Note:

+4. Rate Precept rcd. last year(75/76) 3000
 +5. Penny Rate est(SCDC Treas.)1976/77 2874

FOR CONSIDERATION: amount of Precept to be requested for 1976/77.

K.P.Humphries, December 20, 1975

I, the undersigned resident of the PARISH OF MILTON, in the COUNTY OF CAMBRIDGESHIRE, do hereby declare that I accept the Office of PARISH COUNCILLOR for the said PARISH

.....*Gerald Patten*.....
 Witnessed by ;,.....*J.K. Curran*.....Date: 5/1/76.....

MEETINGS OF MILTON PARISH COUNCIL HELD ON JANUARY 5, 1976, in MILTON
PRIMARY SCHOOL, AT 7.30 p.m.

I PLANNING COMMITTEE Present: JGC, BKC, HWHE, MEJ, PK, GEP, RTS (in Chair) MW, BCW.

2826 Minutes of November 3, 1975 (previously confirmed) were signed

2827 Minutes of December 3, 1975 were confirmed and signed

MATTERS ARISING

2828 S/1208/75: Bene't Gge. canopy; the Planning Officer to consult the (2796) Regional Engineer as to whether the source of illumination satisfied the condition of Permission.

New Applications.

2829 S/1773/75: Mrs. Gawthrop for Livery Stables, Grassy Corner, Chesterton Fen: Approval AGREED on prop: GEP, sec. HWHE.

2830 S/1781/75: Messrs Mowell: New 2-storey office block: Approval AGREED on prop: PK, sec: MW.

Decisions received

2831 S/1611/75/F J.F. Scruby, 2. OS Lane: 1st floor addn. to enlarge 2 bedrooms - granted.

2832 S/1450/75/F HWH Easy: Bene't Fm: change of use to agric. haulage - granted with condns: to 30 June 1977; for benefit of app. only; maximum of 8 agric. haulage lorries.

Notive of Appeal.

2833 S/1668/74 GRCave: who applied in Aug. 1974 for site in Chesterton Fen for 'travelling caravan people'; this was approved by PC & SCDC but refused by CC; Appeal to be heard on Jan. 20, 1976. AGREED on prop. GEP, sec: JGC with PK voting against, that we re-iterate PC's support & on prop MEJ, sec: MW, that this be by letter to Inspector.

2834 Signed Chairman 2nd Feb 1976 ... Date.

II COUNCIL Present: as above.

2834 Declaration of Acceptance of Office of Parish Councillor signed by Mr. G. E. Patten.

2835 Minutes of Council Meeting of November 3, 1975 (previously confirmed) were signed by Chairman.

2836 Minutes of Council Meeting of Dec. 1st, 1975 were confirmed and signed by Chairman, AFTER the following alteration, viz:

MIN: 2809: AGREED to DELETE reference to request for tools. This alteration was duly initialled by Chairman.

2837 OLD HAND The Conveyance and Deed of Gift of the old pump between PUMP(2733) Nos: 11/13 Cambridge Road, MILTON, was signed and sealed.

2838 'BUS SHELTER SEAT Quotation from Mr. Haird considered, viz: to (WAGGON&HORSES) replace with brick and hardcore and chipboard (2794) seat: total £62.06; Prop: HWHE, sec: BCW, that this be accepted subject to acceptance of whole account by Insurance Company.

2839 BY-PASSES Allotments: Further discussion on the most appropriate (2810) advice available: AGREED, on prop: (& advice) of HWHE, sec: GEP, that Messrs Comins (Ely) would be the best agent to employ for professional advice and to make the necessary compensation claim (instead of Wild & Hewitson as agreed 2810)

Replacement holdings for tenants displaced by the by-pass AGREED

That the Clerk confirm from tenants needing replacement and negotiate re-distribution on the 2 'spare' acres which will ultimately lie on the west of the Milton By-pass.

2840 ALLOTMENT RENT INCREASE PROPOSAL (CoLand Agent) (2813) AGREED that Messrs Comins advice be also sought on this matter.

Request for surrender of 6.033 acres by Co. Land Agent - Letter recd. 24 December last, implying that the Parish Council have let part of the allotments for commercial farming contrary to Tenancy Agreement and asking for surrender of 6.033 acres on east side of new Milton By-pass in return for the addition of 0.970 acres on east side to be severed from Mr. Asplin's Stanton Farm.

After discussion AGREED that reply be made to Co. Land Agent that the Council could not accede to this and to point out the justification of allowing in the past, when small allotments were not in demand, some 5 acres to be kept in production by one tenant, to fulfil obligations of good husbandry.

AGREED, therefore, that Messrs Comins be approached to negotiate all the preceding matters, and the Clerk to brief them accordingly.

2841 MVRS: BROKEN GLASS ON RECREATION GD. (2815) Environmental Health Officer awaiting reply on the two matters (see CR13) and to further examine possibility of legal action under a new ACT.

2842 VILLAGE HALL INS. (2816) Music & Dancing Licence Reply from Mr. Martindale who is not in favour of the suggestion that PC indemnify the named licencee (through the VHComm.) as it would commit successor Parish Councils.

2843 TREE PLANTING (COUNTY SCHEME) (2819) The Clerk reported the planting by members on 3, January, of 50 Thorn trees & 1 Ash in Fen road east of rlwy. crossing to river; 5 maple & siver birch, Coles rd. verge; ditto in Butt Lane on verge nr. Nurseries; 2 Mountain Ash, corners of Bene't Close; 1 Horse Chestnut nr. War memorial - a total of 64 trees.

AGREED that the Poplars in hand (not at present needed for DED replacement) be offered to the VHCommittee.

Also AGREED that 8 more Thorn trees, similar in size and species, be ordered from the same suppliers to complete the Fen road east scheme.

2844 STATE OF PAVEMENT between BENE'T CEE. & 81A CAMBRIDGE ROAD (R3/CR29)

The Clerk reported, with some dismay, that despite promises given over the last year by the County Highways Dept. to put this work in hand, it had not yet been done; a recent telephone call met with no further success.

AGREED that the Chairman be asked to approach the County Surveyor.

2845 PARISH RATE PRECEPT FOR 1976/77 (R3/CR30) The financial summary in CR30 was considered; some adjustment was made to future estimates for Changing rooms project. After discussion:

~~Proposed~~ by BCW, sec: JGC that £3,000 be precepted for; an AMENDMENT by MW, sec: BKC, that the amount be £4,000 was AGREED on the casting vote of the Chairman.

2846 CLERK'S SALARY REVIEW In the Clerk's absence from the meeting it was AGREED to increase his salary to £500 p.a.+ exp. of £250p.a.

2847 MONIES RECEIVED Post Office Wayleave: 0.25 pence.

2848 BILLS FOR AGREED the following be paid:
PAYMENT

Clerk's sal: for Dec.1975 £37.50
Postages etc. 2.48
39.98

2849 DATE OF ANNUAL PARISH MEETING: AGREED for WEDNESDAY APRIL 14, 1976

2850 DATES OF FUTURE MEETINGS: CONFIRMED as the 1st MONDAY in the MONTH
viz: 2 February, 1 March, 5 April, 3 May etc.

2851 STRUCTURE PLAN (2812) AGREED on suggestion of GEP that a SPECIAL MEETING
be held solely to discuss this important topic.
Also AGREED this be on MONDAY 16 FEBRUARY 1976.

Signed B. SumnerChairman 21 Feb 1976Date.

SPECIAL MEETING OF MILTON PARISH COUNCIL TO DISCUSS THE COUNTY
STRUCTURE PLAN, HELD IN MILTON PRIMARY SCHOOL, MONDAY, 29 JANUARY 1976

Present: BKC, PK, MEJ, RTS (in Chair) BCW; Apologies from: JGC, HWHE, MW.

2852 CHANGE OF DATE OF THIS MEETING The Chairman apologised for the change of date
owing to the receipt of a reminder from the
Chairman of the County Planning Dept that the
Parish Council's comments were overdue and asking for them by
JANUARY 31.

2853 COMMENTS ON THE STRUCTURE PLAN The County Planning Dept's questionnaire was
discussed for 1 3/4 hours; the relevant literature
supplied having been previously circulated
amongst members.

Comments were made under all the headings of their leaflet 'This
Concerns You' and a summary of these ~~sent to~~ sent to the Co. Plan-
ning Officer (see Clerk's Report for copy of the Summary)

Signed B. SumnerChairman 21 Feb 1976Date.

MEETING OF THE COUNCIL'S PLANNING SUB-COMMITTEE HELD IN MILTON
PRIMARY SCHOOL, MONDAY 29 JANUARY, 1976

Present: PK (in Chair) BCW Apology: MW; In attendance: BKC, MEJ, RTS.

APPLICATION

2854 S/0001/76 GFisher, 48 High st.: Car-port ext. & porch to house;
Approved, with comment that it is hoped this will all-
eviate the present hazardous parking outside this house.

DECISIONS RECEIVED

2855 S/1705/75 PFarren, Waggon & Horses: store-room ext. - granted
2856 S/1706/75 DCTarry, 16 Shirley Clo.: covered way, store & enlarge-
ment of gge; bldg. of a boundary wall - granted

OTHER MATTERS

2857 FILLING-IN OF MIDDLETON'S PIT Letter from District Planning Officer confirm-
ing verbal report, viz: that it proved imprac-
ticable to include a condition of leaving the
northern end shallow for paddling. Landscaping yet to be agreed,
but the Planning Officer will ensure that eventual construction of
a paddling pool there will not be prejudiced.

2858 PARISH CONSULTATION ARRANGEMENTS FOR PLANNING APPLICATIONS, PARTICULARLY: LAND Letter from District Planning Officer asking
that the Parish Council will advise land-
owners adjacent to an application (where
necessary) as they will have the local
knowledge.

SignedChairmanDate.