

GILBERDYKE PARISH COUNCIL
EXTRA ORDINARY MEETING
MINUTES OF THE MEETING HELD WEDNESDAY 17 NOVEMBER 2010
7.30PM THE COMMON ROOM, SCALBY LANE, GILBERDYKE

1.APOLOGIES

Mr P Robinson
Mr L Arundel
Mrs J Bate
Mrs D Longhorn

Mr J Mansell
Mr J Jessop
Mr N Norris - chair
Mr H Dykes

1 member of the public

2.PUBLIC PARTICIPATION

Points raised:

- Having been copied into emails between Mr X XXXXXXXX and ERYC Ward Cllr. P Robinson Phase 1 of the flood prevention project Mr G Cotton is more than concerned with the whole project being held up because Mr X XXXXXXXX will not give his consent for access across his property for the work to be carried out.
- The date for the work to start (22 November 2010) was agreed by all present at the residents meeting in the Cross Keys public house 27 October 2010. All concerned residents including Mr X XXXXXXXX were present at the meeting and agreed the work has to be carried out.
- Mr X XXXXXXXX is the only resident who has consistently contacted the parish council regarding the project and is the only resident who is now refusing to give his unconditional consent to have the work carried out with access via his property.
- Mr X XXXXXXXX is now requesting the parish council enters into a legal agreement to ensure the parish council has the maintenance responsibility for the dyke in the future. The parish council has some concerns regarding entering into a legal agreement primarily as to who the agreement would be with. The Clerk to contact the association and the solicitor.

2. PUBLIC PARTICIPATION contd.....

- The parish council has the powers to carry out the work under Public health Act 1936 section 260 and will look into
- The actual ownership of the land is not the problem – this will be confirmed in the near future following searches being carried out by the ERY Council.
- The parish council has agreed to place £500 in the annual budgets for the maintenance of the section of dyke in the future (Minuted decision) and has also agreed to compensate for any damage caused during access of Mr X XXXXXXXXs property (minuted decision).
- The parish council discussed the possibility of a letter being sent to Mr X XXXXXXXX asking for confirmation that he will or will not give his consent for the access via his properties (13 Chestnut Drive, Gilberdyke and 6 Scalby Lane, Gilberdyke) but predominantly via 6 Scalby Lane, Gilberdyke.

Noted that today (Wednesday 17 November 2010) there had been extensive flooding due to heavy rainfall in Cornwall – causing damage to homes and properties. The parish council is concerned that yet again the goal posts have been moved by one member of the public who has disrupted the work and tried to discredit the parish council from 2007 to the detriment of the residents of Gilberdyke and the parish as a whole with his selfish attitude.

3. PROGRESS OF FLOOD PREVENTION SCHEME

The parish council agreed to forward a letter to Mr X XXXXXXXX requesting he confirms his intention to give unconditional - for the duration of the work - consent for access via his property, or not, in writing. The response requested to be with the Clerk or the Lower Ouse Internal Drainage Board by 12 noon Friday 19 November 2010 to give enough time for the work to commence on the dyke Monday 22 November 2010.

The parish council to look into obtaining a Court Order to gain access through properties to allow the work to be carried out.

The parish council to explore the necessity for a legal agreement once the owners of the land established.

The parish council also to explore taking over the land under the Public Health Act section 263.

If no response received or if a negative response received the parish council to place the information in the local press enabling residents to be kept informed.

There being no further business the meeting closed at 7.58pm.

CHAIR