

Minutes
Burton-in-Lonsdale Parish Council Meeting
7.30pm Thursday 12th August 2021
Sports Pavilion, Burton in Lonsdale

Present: Councillors Handley, Mason, Shaw, Tate and Thompson (Chair); 5 members of the public.

In attendance: the Clerk.

31/2021 **Apologies**

Cllr. Sedgwick; his reasons for absence were accepted.

32/2021 **Code of Conduct and Recording of Disclosable Pecuniary Interests**

To record Councillor's Disclosable Pecuniary Interests relating to this Agenda; changes since previous disclosure to Craven District Council
There were no declarations.

33/2021 **Public Questions or Statements**

The Chairman informed the meeting that Mr Gillibrand would have liked to have made a statement; however he has been unable to attend the meeting due to being held up in a traffic jam en route to Burton in Lonsdale.

Christine Whitfield read out a statement relating to agenda item 5, in which she expressed her strong opinion regarding the state of affairs concerning the Lych Gate, the Very Old and Separate Churchyard, the Village Green and Harris Garth, asking for a resolution to the many years of arguments regarding these matters. She further opined that the matter only concerns All Saints Church and Harris Garth owners.

Mike Biles also asked why the urgency requiring a special meeting, which the Chairman explained was due to Mr Gillibrand requiring a response within one month of his application.

The Chairman explained to the meeting that the Harris Garth owner, Mr Gillibrand, has made an application to the Upper Tribunal (Lands Chamber) to remove an Indenture from the deeds to Harris Garth. The Parish Council's legal advisor recommended discussion should be held in confidence, because of the nature of the matter. The Yorkshire Local Councils Association had also given advice as to the procedure.

34/2021 **To consider exclusion of the press and public** by virtue of Public Bodies (Admission to Meetings) Act 1960 due to the confidential nature of the business to be discussed (agenda item 5 only)

Resolved

That members of the press and public are excluded from the meeting due to the nature of the business to be transacted being prejudicial to the public interest. Public Bodies (Admissions to Meetings) Act 1960.

Cllr Tate expressed his extreme disappointment with the meeting's preparation regarding circulation of documents just prior to the meeting (on advice from the legal advisor to maintain confidentiality), and left the meeting.

35/2021 Application to The Upper Tribunal (Lands Chamber):

Consideration of application by owner of Harris Garth to discharge the Covenant within the 1872 Indenture between Richard Thornton and Reverend Binyon and others relating to access across land adjacent to Harris Garth, 8 High Street, Burton in Lonsdale, from the Village Green to the Lych Gate.

The matter was discussed in detail, recognising the legal advice is being given *pro bono publico*. It was

Resolved

To accept the legal advisor's advice to submit an objection to the application submitted by Mr Gillibrand to the Upper Tribunal (Lands Chamber). The Clerk to prepare Objection and supporting documents and submit to the UTLC.

36/2021 Date, time and venue next monthly Full Council meeting

Thursday 23rd September, 7.30pm, at the Village Hall

The meeting finished at 8.25pm

Signed

Dated