LITTLE LONGSTONE PARISH MEETING
Clerk: Sarah Stokes
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Minutes of the extraordinary meeting 22nd October 2012 held at Little Longstone Chapel at 7pm

Present
Mrs D Gregory, Mrs E Adamson, Ms A Gregory, Mr R Gregory, Mr J Longsdon, Mrs D Gair, Mrs C Burns, Mr P Davey, Mr D Hellings and Mrs S Stokes (Clerk).

69/12 Apologies for absence
Apologies were received from Mrs M Longsdon, Miss M Longsdon and Mr K Adamson.

70/12 Declarations of business interest.
There were no declarations of business interest.

71/12 Ice cream van, Monsal Head

71.1 Professional advice. The Chair reported that two letters had been received from DDDC and DCC, regarding the noise of Fredericks van. All regular members of the PM had received a copy of the letters prior to the meeting. The Clerk had written to both for advice, being bodies with independent professional expertise and an unbiased opinion. DDDC could not advise as they do not have a Solicitor in house at present also there may be a conflict of interest as they lease the land adjacent. DCC could not advise as the ice cream van is sited on private land not on the highway. DCC also highlighted that environmental noise issues lie with DDDC.

71.2 Areas of discussion regarding the ice cream van – noise.

1. The next step.
2. Using an independent Solicitor.
3. Fredericks are not in breach of the contract.
4. Resolving the issue.
5. Costs of legal advice.
6. Situation not being black and white.
7. Fredericks are not contravening their agreement.

Mr D Hellings joined the meeting.

8. Responsibilities for van.
9. Putting a ceiling limit on legal advise.
10. Parish money could be spent elsewhere.
11. Not seen as a parish problem.
12. The PC has more important things to do.
13. Whether Fredericks have been approached regarding their use of vans.

    The Clerk clarified that Fredericks have been written to regarding their vans. the reply stated that ' The noise you refer to is the freezer part of the Carpagina machine that dispenses the ice cream and we use 2 other similar vans for this site. Having read through the lease agreement I don't see any specific restriction for this type of van but please advise if I have missed the clause'. Also Fredericks stated that ' The soft van we send was allocated to the site because we find the ice cream is better received by the customer than that of a normal scoop van'.

14. When the professional noise test was carried out, access was refused to the cafe for internal noise testing.
15. Wind, traffic and people noise when attempting to listen to the noise of the van.
16. Sharing of independent Legal advise.
17. Can Ellerys tea rooms sell off their drive.

    The Clerk stated that this had not been looked into.

18. The tender went to Fredericks.
19. The ice cream van site needs to be clean, tidy and presentable.
20. Competition with two ice cream vans.

71.3 Vote.

The members voted:

1. To seek legal advice from a Solicitor.
   There were no votes.

2. No further Parish action regarding the issue.
   All members were in favour, a unanimous decision.

72/12 Any other business

72.1 Bins at Monsal Head.

The Clerk read out a reply from DDDC regarding the two bins that were removed, but not replaced. The bins are to be replaced soon with one of them to be relocated to the

viewing area, once agreed with PDNPA. To note the Clerk had asked that the bins be installed by Easter 2013.

72.2 Byway Open to all traffic (Cherpit Lane) – work to surface.
A letter had been received from DCC refering to work due to be carried out on a large section of Cherpit Lane. DCC are to use road planings to reconstruct the surface. Following this, RTB had requested the Parish meeting get the work deferred until after the TRO consultation. The Clerk wrote to DCC asking that the work be deferred.

A 'notice' has been received stating that the byway will be closed between 5 November and 14th December 2012.

The members discussed that other tracks in the area have this material on them, what road planings are , getting rid of the ruts, easier to walk down and better than doing nothing at all, were all discussed.

73/12 Date of next meeting.

The next meeting will be held on Monday 26th November 2012 at 7pm in The Chapel, Little Longstone.