

**MINUTES OF THE TOWN COUNCIL MEETING HELD AT  
JUDITH'S FIELD AT 10.00 ON SATURDAY 31<sup>ST</sup> JULY 2021**

PRESENT: C THOMAS (Town Mayor)  
Councillors: C HYAMS (Deputy Mayor); A HOOKER; J HLADKIWSKYJ; P IRVING; R MAHMOOD; D  
MICKELBURGH; P MORGAN; Mrs M RADFORD; P ROUND; R TAPLIN; G WILSON; Mrs S WILSON;  
Mrs S WORTHINGTON and J YOUNG

Town Clerk: Ms V PRYCE

**MINUTES**

**Action**

**21/117 TO RECEIVE APOLOGIES AND REASONS FOR ABSENCE**

Cllr S Conboy – Holiday

**21/118 DECLARATIONS OF INTEREST:**

Cllr Vane Percy declared an interest as the adjoining landowner to the recreation ground.

**21/119 PUBLIC PARTICIPATION SESSION:**

None

**21/120 TO CONSIDER DEVELOPMENTS CONCERNING THE SWIMMING STEPS AND THE  
WILLOW WALK PROJECT AND ENDORSE RECOMMENDATIONS ARISING.**

The MAYOR informed Council that HDC had written to advise that it has no title to the recreation ground nor its riverbanks. HDC had advised that they will have nothing to do with banks and other responsibilities regarding riparian ownership. Their official position was expected to be sent to Council in 2/3 weeks. The MAYOR asked that a small working party be formed along with the Town Clerk, with regard to ownership of the land. Cllr HYAMS advised that following his recent personal experience with property that a statement of truth experience may be useful. Cllr S WORTHINGTON advised that she would be happy to be involved and informed Council that she had a copy of a lease from 1974. The MAYOR proposed that Cllr ROUND, HYAMS, TAPLIN and WORTHINGTON formed the core of the working party, the majority were in favour and it was so **resolved**.

As it had been suggested that the Council may not have jurisdiction over the Recreation Ground, The MAYOR proposed that the Council consider deferring planned projects until ownership had been established. The first project was Willow Walk. The MAYOR reminded Council of the process of debate in that a Councillor could speak only once.

Cllr HOOKER advised that the start date for Willow Walk had been delayed by one week to the 9<sup>th</sup> August.

Cllr MORGAN felt that irrespective of whoever might own the Recreation Ground it had been there for 200 years, used by residents of the Town, all sorts of activities to benefit the community had been held there. He felt that what the Council were doing now was enhancing the facilities for the future.

Cllr ROUND agreed with Cllr MORGAN'S points and felt that it would benefit no one to delay commencement of the work, that there had been no objections to the project and there was a budget in place.

Cllr HLADKIWSKYJ advised that during his time as a school governor there had been issues over the swimming pool and felt that HDC did not like taking on any liability to the extent that HDC may say that if they haven't authorised the work, then it must be removed.

Cllr G WILSON thought that the projects were great and fully supported them going ahead,

Signed as a true copy of the minutes: (Mayor)

Date:

although he had concerns about going ahead before the Council knew who has responsibility for the ground in particular the riparian rights as these would require Council to look after the moorings and the banks which would be a tremendous liability, therefore he felt reluctant to go ahead with the project at this time.

Cllr RADFORD felt that Council had been looking over the recreation ground for many years and that if Council had to take on the riparian rights, then so be it.

Cllr TAPLIN supported the general feeling that the project should go ahead as planned but felt that allowing the project to ahead demonstrated to residents that the Council were listening to what they wanted.

Cllr HYAMS felt that the Council should wait for the three weeks until an official decision had been received from HDC. Agreed projects were great, Council had all voted for them and spent years organising them.

Cllr S WILSON felt that the Council should be considering potential expenditure if they were to take over the riparian rights as well as the ongoing costs. Cllr S WILSON highlighted that HDC have claimed riparian ownership for many years and taken money for fishing rights.

Cllr S WORTHINGTON agreed that it was a can of worms, land ownership was unclear, following a big shake up of government in 1973, everything went to HDC and there had been lots of toing and froing.

Cllr YOUNG had advised that HDC had leased the fishing rights to the angling club.

Cllr WORTHINGTON noted that there were implications for other Council policies such as Use of the Land Policy and with less than a year before an election they would be committing a future council. Cllr WORTHINGTON felt that the Council had been shown good will from Mr Sloper at HDC and if Mr Sloper were to move on we may find a different attitude. Cllr WORTHINGTON felt that the issue was of significant importance and for future council, it should be a recorded vote on this occasion.

Cllr VANE PERCY advised that his understanding of riparian rights with land that is not registered 20 years ago, went through parliament to be determined.

The MAYOR advised he had located expert legal advice should the group require it.

Cllr YOUNG advised that after the Local Government Act 1972, small boroughs like Huntingdon were demoted to successor parishes on 1.4.1974. All of the property from the Boroughs were handed to the newly formed District Council.

Cllr HOOKER felt that the riparian rights were separate from the use of the land. He felt it could take years to establish riparian ownership and asked whether the Council would stop cutting the grass and stop looking after the trees. He advised that he believed the Council owned the recreation ground as it had been maintaining it. He advised that the money for the project was coming from CIL and was not rate payers money.

The MAYOR reminded council that it was only delaying the projects by a number of weeks not permanently.

Cllr MICKELBURGH felt that the Council had a responsibility as a Council do to things properly and it needed to demonstrate to the community that the Council were being responsible with public money, as if HDC decide later down the line that they do own the land then they could rip out everything that had been installed.

The MAYOR asked for a show of hands for a recorded vote, the majority were in favour and it was so **resolved**.

The MAYOR confirmed that the proposal was to defer the commencement of upcoming work until receipt of the initial legal pronouncement, which was expected to be issued in 2/3 weeks time, following which the council will review the situation. Cllr HYAMS proposed to defer the work and Cllr S WILSON seconded.

The recorded vote:

Cllr HYAMS to defer

Cllr ROUND to not defer

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Date:

Cllr MORGAN to not defer  
Cllr D MICKELBURGH to defer  
Cllr HOOKER - to not defer  
Cllr G WILSON to defer  
Cllr S WILSON to defer  
Cllr HLADKIWSKYJ to defer  
Cllr IRVING to not defer  
Cllr YOUNG to not defer  
Cllr S WORTHINGTON to defer  
Cllr VANE PERCY to defer  
Cllr MAHMOOD to not defer  
Cllr M RADFORD to not defer  
Cllr TAPLIN to not defer  
The MAYOR to defer

8 against

8 for

The MAYOR took the casting vote and voted to defer the project and it was so **resolved**.

Signed as a true copy of the minutes: (Mayor)

Date: