

## MINUTES

Minutes of Ordinary Meeting of Woodham Walter Parish Council.  
Held at 8.00pm in Woodham Walter Women's Club, Top Road, Woodham Walter.

**Monday 11<sup>th</sup> January 2016**

### **Present:**

Cllr. Peter Warren  
Cllr. James Bunn  
Cllr. Mark Durham  
Cllr. James Rushton  
Cllr. Joanna Symons  
Cllr. John Tompkins

Others: Jacky Bannerman (Parish Clerk)

Public: 0

**1695. Welcome** Cllr. Warren welcomed those present to the meeting.

**1696. Apologies for Absence** were received from County Councillor Penny Channer and District Councillor Henry Bass.

**1697. Disclosure of Interests/Consideration of Dispensations** To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-10 inclusive of the Code of Conduct for Members. (Members are reminded they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

Cllr. Mark Durham declared an interest in agenda item 9.1 (Minute ref: 1703.1) Planning Appeal FUL/MAL/15/00047 Land adjacent Whitegates, Herbage Park Road as his is employed by the applicant. No other interests were declared and the register was duly signed.

### **1698. Notice Of Vacancy**

1698.1 The resignation of Angus Neale with effect from 4<sup>th</sup> January 2016 was noted. Maldon District Council Returning Officer has been notified and the Official notice has been placed on the village noticeboard and website. If a request in writing is made from 10 local government electors within 14 days then an election to fill the post will be held. If no such request is made the vacancy will be filled by the Parish Council. Clerk will advertise the vacancy in the Parish magazine, on the noticeboard and website, interested persons to contact clerk or Chairman for more information.

**1699. Public Forum** There were no members of the public present.

### **1700. To approve the Minutes of Parish Council Meeting On Monday 14<sup>th</sup> December 2015**

The minutes were approved as a true record of the meeting and duly signed.

### **1701. Matters Arising from Minutes of Monday 14<sup>th</sup> December**

1701.1 Air Cmdr Sismore memorial bench on Bell Meadow. On-going.

1701.2 Cllr. Tompkins raised concerns regarding minute reference 1687 which although recorded correctly, it was felt that the comment made by District Councillor Bass '**MDC are not required to take account of the Parish Council's comments as they are not statutory consultants**' is a cause for concern and needs clarification for future reference, public understanding and transparency. Cllr. Tompkins research with the NPPF Planning Practice Guidance specifically states that it is important that local planning authorities identify and consider **all** relevant planning issues associated with a proposed development. Consultees may be able to offer particular insights or detailed information, which is relevant to the consideration of the application. Strictly speaking under the terms of the Town & County Planning Act 1990 we may not be Statutory Consultees (SC) however, the Act empowers the Planning Authority (PA) to notify a Parish Council, on request, of any planning application and any alteration of same together with any decision made. So this PC is a consultee and there is a formal response form by way of reinforcement of the fact. Therefore the PC representations, if any, similar to those of an adjoining owner should be recorded, reported, taken into account, and considered [*but not necessarily acted upon*] by the PA. If MDC do not take account of such comments then our time and effort voluntarily spent is being wasted dealing with planning applications. It is the **duty** of a PC to advise the PA of any representation within 21 days or such other time as may be agreed by the parties [*now established as 28 days*]. It therefore follows that the Case Officer (CO) has a duty to record and report such representations, which in the case of the Warren Listed Building Consent application was not done the reasons for which are not at present a point for discussion. Whilst it is true that the PC comments may not alter the CO's recommendation unlike those of a SC, they should nevertheless be

reported to Members as a background to the case to provide a balanced and transparent presentation, whether the recommendation is for approval or refusal. Clearly MDC Members rely on the expertise of the Officers and it was stated at the PC meeting that Officers are experts with some having a 'passion' for their profession. It should however be recognised that others have a similar stance and for every case put forward by an expert, another expert could, and often does, put forward a contra-case. This is why the reporting process is so important and why the Members of the PA are there to determine an application if the CO reports it to them. It is therefore considered that the comment made as being potentially but unintentionally misleading and also the PA's response to our letter of complaint, unsatisfactory and that clarification is necessary.

Cllr. Durham commented that the Parish Council opinion is an important consideration to get local knowledge. The Planning and Licensing committee are due to debate changes to the Parish Trigger which may reduce the number of application which go before the committee and agree on a newly designed consultation response form with an additional box for parish councils to provide information without supporting or objecting to an application.

Councillors agreed that the comment made by Cllr. Bass at the previous meeting needs clarifying and asked clerk to write to Head of Planning at MDC, Nick Fenwick.

### **1702. Planning – APPLICATIONS**

1702.1 HOUSE/MAL/15/01297 19 Rectory Road

Two storey and single storey rear extension, addition of window to flank elevation at first floor level. Although members realise that the principle of approval has been established with the 2011 decision (HOUSE/MAL/10/00937), they objected to that application and the majority decision of the council was to continue to raise objections to this application.

Members remain concerned that the bulk and scale of the extension, particularly the two storey element of the plans is considered to be too large and would represent an inappropriate development which would have an adverse impact upon the amenities of the occupiers of the neighbouring properties at No.18 and 20 Rectory Road as a result of its overbearing appearance.

1702.2 HOUSE/MAL/15/01323 North Hall Cottages, Cut a Thwart Lane

Extension to existing garage forming a garden room.

Councillors raised no objections to the application but would like conditions attached to any permission which prevents the building being used as residential accommodation and ensures that it remains ancillary to the main dwelling house.

### **1703. Planning – APPEALS**

1703.1 FUL/MAL/15/00047 Land adjacent to Whitegates, Herbage Park Road

It is noted that the inspector has now announced that the appeal will be determined by a hearing and that the date has been set for 23<sup>rd</sup> February.

It is thought that the decision to go to a full hearing has been taken due to perceived discrepancies in the MDC Five Year Land Supply. The decision by the Secretary of State regarding the Local Development Plan is critical to this appeal and others in the district. The Parish Council have written the MDC to offer support in their defence of the decision to refuse the application and also plan to be represented at the hearing and make representations if allowed and appropriate.

### **1704. Planning – DECISIONS**

1704.1 COUPA/MAL/15/01170 Falconers Lodge Offices, Oak Farm Road **REFUSED (DEL)**

Prior approval for a proposed change of use of a building from office use (class B1(a)) to a dwelling house (class C3).

*The proposal would not meet the requirements of O.1 (b) (i) (ii) and (c) of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the building is not in use for a purpose falling within Use Class B1(a) (offices) and as such the change of use of the building to C3 (dwelling house) does not constitute permitted development.*

*Further, the application site is located within the site of Falconer's Lodge, a schedule ancient monument and therefore fails to meet the requirement of O.1 (g) of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).*

Having noted the decision, notification that the property is thought to be currently being used for residential use has been drawn to the attention of the enforcement officer. The enforcement officer has also been asked to assess that the building works including associated groundworks are proceeding according to approved plans. Cllr. Durham will follow this up with MDC.

### **1705. Other Planning Matters**

1705.1 Woodham Walter Conservation Area. Cllr. Tompkins has a meeting with MDC on 12<sup>th</sup> January.

1705.2 South Maldon Garden Suburb Community Liaison Panel – it was not considered that the panel was relevant to Woodham Walter as it is to do with liveability and not infrastructure.

**1706. Payments** The following payments were authorised and cheques duly signed.

- 1706.1 e-on –Monthly DD £17.81 (inc. 0.85 VAT)
- 1706.2 A&J Lighting Solutions – Monthly DD £23.94 (inc. £3.99 VAT)
- 1706.3 Mrs J Bannerman - Clerks Salary & Allowance – 31 hours + holiday pay/allowance £472.71
- 1706.4 Maldon District Council £555.49 (Election Expenses)
- 1706.5 National Society of Allotment and Leisure Gardeners Ltd £66 (inc. £11.00 VAT)

**1707. Other Financial Matters**

1707.1 Summary of Accounts to date.

DATE	ACCOUNT / TRANSACTION DETAIL	AMOUNT IN	AMOUNT OUT	BALANCE
<b>Business Reserve A/C</b>				
14-Dec-15	Balance			8189.44
11-Jan-16	Transferred to Community A/C 60978876		1000.00	7189.44

**Community Account**

14-Dec-15	Balance			574.29
17-Dec-15	Silver Threads (Repayment of grant)	150.00		724.29
11-Jan-16	Transferred from Business Reserve A/C 40622818	1000.00		1724.29
11-Jan-16	January Debits		1135.95	588.34

1707.2 Budget 2016/17 – consideration to budget/precept requirements for 2016/17. It was agreed to include £250 budget for a possible Queen’s 90<sup>th</sup> Birthday street party in June. The Bell Meadow Village Association had enquired if the Parish Council would consider funding the remainder of the Speed Indicator Device costs if they were to add another £1500 to the £2000 already granted in 2015. It was therefore decided to add a provisional £1000 of Parish Council funding to the budget which could be carried over to the following year if the grant funding for the SID was successful and the money was not required. Along with the Street Party other general increases in budgets it was agreed that the increase to the precept would be 15% (up £1609). This amounts to a precept request of £12333 which is £45.66 per Band D house, an increase of £7.03 over the year.

Cllr. James Bunn proposed and Cllr. Peter Warren seconded that the Budget and Precept for the year 2016/17 be approved, all councillors in agreement.

1707.3 Transparency Code for smaller authorities – Fund for smaller councils. There is government funding available to purchase computer equipment. Clerk has done some research into equipment and will apply for grant funding of £1108.74

1707.4 Smaller Authority Audit Appointments – from start of 2017/18 financial year smaller authorities can choose to have an auditor appointed to them by a new ‘sector-led body’ or they can decide to procure their own. The advice from the NALC is that they have set up a company to procure audit services on behalf of Parish Councils and we are invited to become an opted in authority to this scheme. It was agreed to remain opted-in to the scheme.

**1708. Reports Of The District Councillor & County Councillor**

It was noted that Cllr. Channer will email her report.

Cllr. Durham reported that he has been actively working on reducing speeding in the district, meeting with various partners and police to address matters particularly in Maldon; The council still awaits a decision on the LDP from the Secretary of State, Maldon appears to be a test case and it is taking a very long time for conclusions to be drawn; MDC are working on budgets which need to be set on 4<sup>th</sup> February and finances are very tight with cuts in government funding which is likely to force cuts and reorganisation. Council taxes will increase, MDC are restricted to a 2% increase. Essex County Council are expected to increase by 4%; Devolution may produce a combined Essex authority; New waste contract begins on 1<sup>st</sup> February and the new system of wheelie bins begins later in the spring. They are currently doing a survey to check suitability for wheelie bins. Food waste will be collected weekly, wheelie bins and other recycling on alternate weeks.

**1709. Other Council Matters**

- 1709.1 Village Design Statement. Await results of meeting on 12<sup>th</sup> January.
- 1709.2 Woodham Walter Common. Clerk to send apologies that no members are available to attend the Living Landscapes meeting but request we be send copies of the minutes.
- 1709.3 Bell Meadow Village Association. See 1707.2
- 1709.4 Allotments Association. Nothing to report.
- 1709.5 Tree Policy – on-going – policy has now been drafted.
- 1709.6 Emergency Plan – on-going.
- 1709.7 Annual Parish Meeting – it was agreed that the meeting be held on Monday 18<sup>th</sup> April, clerk to check hall availability. Clerk to begin work on Annual Parish Report.

**1710. Consultations/Questionnaires**

1710.1 Chelmsford Development Plan – currently being circulated to all councillors .

**1711. Highways**

1711.1 There are a number of on-going highways issues which clerk is pursuing.

1711.2 The Causeway, Ulting – Road Closure notification 12-14 January.

1711.3 Spring Elms Lane, Little Baddow – Road Closure notification – 18<sup>th</sup> January

1711.4 Stivvys Road, WW – Road Closure notification – 18<sup>th</sup>/19<sup>th</sup> January

**1712. Local Issues**

1712.1 Bell Meadow/Playground. It was agreed that the trees leaning over the Parish Council boundary in Bell Grove alongside Bell Meadow were not considered dangerous. They would be monitored during tree inspections. There were no other issues to report and the book was duly signed.

1712.2 Footpaths Report. The bridge on FP12 towards the waterworks has recently been vandalised or damaged in some way. This has been reported to Essex & Suffolk Water. Cllr. Warren will report again the fallen trees on FP12 in the copse at The Warren.

1712.3 School Report. No information to report.

1712.4 Crime/Police Report: No information to report

1712.5 Litter. The village litter pick is due to take place on Saturday 13<sup>th</sup> or 20<sup>th</sup> February (depending on weather) at 10am meeting at the school. Colin Warner will arrange to collect bags of rubbish and store until MDC collect. Clerk to arrange with MDC. Clerk to request adopt-a-road volunteers carry out litter picks prior to litter pick day to minimise routes on the day. It was noted that Chris & Catriona Wheadon have already carried out their routes including Old London Road.

1712.6 Broadband. No additional information to report, the updated map on Superfast Essex indicates that the central village area should be connected between July 2016 and June 2017.

1712.7 Vehicle Activated Sign – No information to report.

1712.8 Post Office – No information to report.

**1713. Correspondence**

1713.1 John Pearce – Manor Road – letter received asking council to comment on following points

1) Proud of standard and success of village school, however to avoid chance of incident make Top Road one way running East to West. 2) For 14 years he (and now with neighbour help) has cared for the triangle at Curling Tye Green, this is voluntary. Why can't this be tended as other greenswards in the village?

Councillors considered the points raised but do not support the idea of a one-way system for Top Road, however they do feel that now the shop is no longer trading, that the zig zag lines could be extended to include in front of what is now the nursery school which would help with the safety of the junction both for motorists and also for pedestrians crossing during busy times.

Regarding the triangle at Curling Tye Green, unfortunately the Parish Council does not have sufficient funding for grass cutting of areas outside of the central village. Maldon District Council have been asked to include the triangle on their cutting schedule but this will only be done at the same time as other verges etc and the triangle is currently more closely maintained so the contractor probably doesn't feel it necessary to cut it. If adjacent householders want to keep the area to a higher standard the Parish Council are very grateful for their efforts to help keep the village looking nice.

1713.2 Invitation to Meet The Leader event at MDC for Chairman and one other representative.

**1714. Points of Information**

**1715. Date of Next Parish Council Meetings:**

Date of next Ordinary Parish Council Meeting Monday 8<sup>th</sup> February 2016 at 8pm in Women's Club.

Signed

**Meeting ended at 10.35pm**

Dated