

MINUTES

Minutes of Ordinary Meeting of Woodham Walter Parish Council.
Held at 8pm in Woodham Walter Women's Club, Top Road, Woodham Walter.

Monday 14th August 2017

Present:

Cllr. Joanna Symons (Chairman)
Cllr. James Bunn
Cllr. Jenny Hughes
Cllr. James Rushton
Cllr. John Tompkins
Cllr. Peter Warren

Others: Jacky Bannerman (Parish Clerk)
District Councillor Henry Bass

Public: 1

2119. Welcome Cllr. Symons welcomed those present to the meeting.

2120. Apologies for absence. Apologies were received and accepted from District Councillor Mark Durham and County Councillor Penny Channer.

2121. 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 were reminded they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

Councillor John Tompkins declared a non-pecuniary interest in FUL/MAL/17/00774 and LBC/MAL/17/00775 regarding the planning applications at St Michael's Church as he had assisted the PCC with the application.

There were no other interests declared and the register was duly signed.

2122. Public Forum Mr Geoff Hicks was in attendance both in his capacity as a School Governor and as Fabric Officer at St Michael's Church. It was agreed that the discussion regarding the school playground would take place during the agenda item. Mr Hicks then commented on the planning application at the church to install external lighting. He explained the need for illumination along the path and that specialist advice had been gained from the Diocese Advisory Committee regarding an acceptable design of a lighting system to protect the heritage of St Michael's. It has been designed to be as sympathetic as possible and make it safe for everyone especially disabled persons. The posts are 1m high, as unobtrusive as possible, painted black with passive infrared sensors and 180° shields so light shines only onto path.

2123. To approve Minutes of Ordinary Parish Council Meeting on Monday 10th July 2017.

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

2124. Matters Arising from Minutes

2124.1 None/Carried over to September meeting

2125. Community Playground

To consider the issues surrounding the current closure of the playground.

Councillor Symons outlined the situation regarding the dialogue which has taken place with the school over the last year while the playground has been predominantly closed during holidays and weekends. This has included revisiting the terms of the original agreement between the School and the Parish Council, which had been legally drawn up in 2002 and does not state any opening/closing times or procedures and details the Council's insurance obligations.

The school have advised that there have been a number of break-ins and acts of vandalism in the school grounds over recent years and had decided that the gate should be locked to deter this. They asked the Parish Council to consider how this could be solved and a number of options were investigated including an automated gate locking system or employing someone – both of these options were ruled out due to insufficient funds. A rota for daily locking/unlocking and inspections at weekends and during school holidays was considered but after a long discussion Councillors concluded that reluctantly it would be too difficult to provide a rota of councillors able to do this, as most have work or other commitments and advertising for volunteers also proved unsuccessful. Councillors were also concerned that in the event of an incident, that the Parish Council could be held

responsible for a break-in, for example if the volunteer had for some reason not been able to lock the gate.

There is also a problem regarding insurance because the Parish Council's insurance company advise us that as the playground equipment is not in the ownership of the Parish Council and we have no financial interest in the equipment or the land, we cannot insure the equipment or maintain responsibility for it. We can only take out Public Liability insurance which comes into effect ½ hour after the School session, i.e. from 3.45pm on school days and at weekends and school holidays. The Parish Council is therefore unable to satisfy the clause that they will indemnify the Governors against all costs claims damages demands and liabilities howsoever arising from the use of the Facility while it is under the control of the Council. The equipment has always been insured by the school and this has been communicated to Head Teachers past and present.

The school has now suggested that they would reluctantly like the playground agreement to be terminated.

Cllr. Symons opened the meeting up to Mr Geoff Hicks who in his capacity as a Vice Chairman of the School Governing Body commented that they had come to the recommendation to close the playground outside of school hours with reluctance as they do recognise the value of the link to the community.

Discussion continued with councillors.

- As the insurance cannot be satisfactorily resolved and there is no means of lock/unlocking it is regrettable but the facility should be closed.
- Future funds along with grants should be put towards our own Community playground at Bell Meadow.
- Concern was raised about the financial burden of putting in and maintaining our own equipment.
- A Playground is a facility that the village should have and the flat area at the top of Bell Meadow where a previous playground once stood would be ideal for a new facility.

Councillor Symons proposed that the agreement with the School Governing Body and the Parish Council regarding the playground should be terminated. All Councillors reluctantly agreed to the proposal.

It was also agreed that as a gesture of goodwill the Parish Council will pay the £400 grant to the school which had been carried over from 2016/17.

Clerk is seeking legal advice from the Essex Association of Local Councils in order to proceed with the termination.

It was further agreed that investigations will take place into the possibilities of progressing with a playground on Bell Meadow. A Working Party will be established including Clerk, interested Councillors and other village volunteers. Clerk to begin research into funding resources.

Cllr. Bass indicated that the Clerk should contact Ali Burlington in the Community Safety Team at MDC as this may fall in the remit of their Health & Well Being Policy.

2126. Planning – APPLICATIONS

2126.1 FUL/MAL/17/00774 St Michael's Church, Church Hill

Proposed illumination of church access pathway to facilitate disabled person access.

Councillors concluded that the application should be supported. They were glad that the lights would be movement activated and with only 180° light throw to minimise illumination.

2126.2 LBC/MAL/17/00775 St Michael's Church, Church Hill

Proposal to install three no. 1m high illumination bollards to level access pathway to facilitate access by disabled persons. Bollards to be D.W. Windsor Riga pattern.

Councillors concluded that the application should be supported. They were glad that the lights would be movement activated and with only 180° light throw to minimise illumination.

2126.3 FUL/MAL/17/00778 Somerset, West Bowers Road

Change of use of land from agricultural to residential and new access.

The addition of an independent report seems to be the only change from previous application.

Councillors agreed it would ultimately be down to highways safety but in terms of planning for change of use they had no objections.

2126.4 HOUSE/MAL/17/00857 Greenlanes, Spring Elms Lane

Retrospective – Erection of single-storey, two-bay cart lodge with lean-to store.

The application includes information that the Permitted Development rights had been misunderstood. However, it is felt that these are clear and the application is contrary to these rules and also the Village Design Statement. The size of the proposal, its appearance scale and bulk would appear dominant and out of character within the street scene contrary to policies S1 (Sustainable Development) and D1 (Design Quality and Built Environment) of the MDC Local Development Plan as well as the VDS.

There is a close comparison to the application HOUSE/MAL/17/00615 at The Spindle which has recently been refused.

Permitted Development rules state amongst other things that the development should not project in front of any wall that forms part of the 'principal elevation' and that they are no more than 2.5 metres to the eaves and no more than 4 metres high to the ridge if they have a dual pitch roof or 3 metres if they have any other form of roof. It would appear that the retrospective application is contrary to both of these points. It is also contrary to the Woodham Walter Village Design Statement.

Reluctantly as it has already been built, Councillors object, as they would have done if the application had been received by normal channels.

2126.5 FUL/MAL/17/00823 The Calf Shed, West Bowers Farm

Retrospective – Change of use from agricultural use to use Class D1 (non-residential institution) (office and music lessons).

This application was received too late to be included on the agenda. Clerk to seek an extension to the deadline which falls a few days before our next scheduled Parish Council meeting. In the event that this is not possible an Extra-ordinary Planning Meeting will be called.

2127. Planning – DECISIONS

2127.1 HOUSE/MAL/17/00615 The Spindle, Bassetts Lane **REFUSE**

Proposed detached outbuilding to provide space for yoga studio and home office for use in conjunction with the main house together with new garage doors to the existing adjacent open garage building.

Councillors were pleased to note that the decision to refuse the application had been broadly in line with the reasons given for objection by the Parish Council including for the first time MDC have used being contrary to the endorsed Woodham Walter Village Design Statement as part of their reasons for refusal.

2128. Other Planning Matters

2128.1 Woodham Walter Village Design Statement. To note the date of the launch reception on Tuesday 26th September. 7-9pm WW Village Hall. It has regrettably been noted that the date clashes with the Women's Club AGM but unfortunately this was the only date available and convenient to the majority. A reception will be held in the Village Hall to which Parishioners are invited to attend along with invited delegates. Cllr. Tompkins is due to meet with VDS Chairman David Beattie to consider a display. Clerk has received a quote for 12 colour copies of the VDS at a cost of £52. It was agreed that if residents wanted to purchase copies this could be arranged. Copies will be distributed to local libraries, the church and pubs. Cllr. Tompkins will produce a poster. Clerk to send out invitations.

2128.2 Maldon District Council Local Development Plan. It was noted that plan is now approved by the Secretary of State.

2128.3 It was noted that since the completion of the Hatfield Peverel Neighbourhood Plan Outline planning consent was approved for two sites despite not being allocated in the emerging Local Plan and Neighbourhood Development Plan, an issue seemingly unheeded by Braintree District Council. These applications have now been called in to the Secretary of State.

Mr Geoff Hicks then left the meeting room at 9pm.

2129. Payments The following payments were authorised and cheques duly signed.

2129.1 E-on –Monthly DD – £22.62 (inc. £1.08 VAT) (Await invoice)

2129.2 A&J Lighting Solutions – Monthly DD £23.94 (inc. £3.99 VAT)

2129.3 Mrs J Bannerman - Clerks Salary 28 hours + allowance & holiday £453.23

2129.4 D.W. Maintenance £480

2129.5 PKF Littlejohn LLP £120.00 (inc. £20 VAT) (Audit)

12130. Other Financial Matters

2130.1 Summary of Accounts to date.

DATE	ACCOUNT / TRANSACTION DETAIL	AMOUNT IN	AMOUNT OUT	BALANCE
Business Reserve A/C				
14 Aug 17	Balance			16010.71
Community Account				
10-Jul-17	Balance			1548.19
28-Jul-17	Party Tent Income (Arnold)	50.00		1598.19
14-Aug-17	August Debits		1099.79	498.40

2130.2 It was noted that cheques for Annual Grants at the July meeting had been re-issued as

originals had the wrong amounts in error. The correct amounts were detailed on the agenda and minutes.

2130.3 Annual Return for the year ended 31 March 2017. External Auditor Report and Certificate received detailing that the Annual Report was not accurately completed before submission for review. Section 2, Box 9: Information received from the smaller authority indicates that assets held as custodian trustee (*Woodham Walter Common*) have been included in Box 9 for the current year in error. These assets should be included on the fixed asset register (*as detailed in the Transparency Code*) but should not be added to the total of fixed assets held as disclosed in Section 2 Box 9. Clerk apologised that this confusing information had been misinterpreted when completing the return. The Notice of conclusion of Audit will be published along with the relevant pages on the village noticeboard and the website.

2131. Reports Of the District and County Councillor

District Councillor Henry Bass reported that the LDP has been approved but otherwise the council had been fairly quiet over the Summer. He apologised that he is unable to attend Bell Meadow Day. Clerk reported that Councillor Mark Durham had informed that he is chasing up the poor state of the works carried out to repair the barriers on Old London Road. It was noted that County Councillor Channer had emailed a report which was sent to all councillors. Cllr. Symons thanked Cllr. Bass for the recent Parish Council Chairman's Garden Party which she had attended.

2132. Local Issues

2132.1 Bell Meadow 1) Gate at Bell Meadow –UK Power Networks inform that a Cat & Genny should be used and they do not attend site visits. Quote received from Danbury Fencing Ltd. Clerk is seeking further quote. Andrew Upson from Essex Fencing Ltd has declined to carry out works. 2) UK Power Networks plan to install new electricity cable to 1 Whitegates, CM9 6SF. To consider request for works to take place to connect underground cable across part of Bell Meadow. Cllr. Peter Warren proposed and Cllr. John Tompkins seconded that the UK Power Networks agreement should be approved and signed. All in agreement. Clerk to process. 3) It was agreed that Bell Meadow is looking really good this year. There were no other reports and the book was duly signed.

2132.2 Footpaths Report. Cllr. Warren reported: 1) He has again chased up Essex County Council Highways regarding the cutting schedule which should be completed by the end of September. 2) He has reported the broken planks on the bridge on BR31 (Between Bassetts triangle and Woodham Walter Common). There have been several similar reports already made and having chased up Highways now report that it should have been completed by 8th August – Cllr. Warren to check. 3) Large tree blocking Bridleway near Wood Corner – on re-checking it appears that the tree has still not been removed as the inspector couldn't find it and closed the report! This has been raised again – the path is now so overgrown it is unusable. 4) Reported bridge and sign damage at junction of Tom Tit Lane – Highways now report that this works should be done by 21st August. 5) It has now been a year since Cllr Channer was asked to raise a member enquiry regarding the fallen tree over FP36 in the wood (between The Street and Wilderness). This was first raised in 2013 and has still not been resolved. Clerk to raise again with Cllr. Channer. 6) Cllr Warren to report that the kissing gate between Mead Pastures and Blue Mill Lane is broken. It was noted that the warning sign has now been erected by Tim Maxted.

2132.3 Highways – Cllr. Tompkins reported that Brook Close had suffered with flooding during heavy rain recently and that it appears the gullies are not correctly aligned.

2132.4 Highways – it was noted that the works to improve drainage opposite the Bell had succeeded in solving the issues as had been tested during the recent heavy storms.

2133. Correspondence

2133.1 Mr Keep from Ferndale had responded to the Parish Council to thank us for writing to the Environment Agency and clarifying a couple of points. Sadly his garden was again flooded during the recent heavy rains. Clerk had received response from Environment Agency that the watercourse is in good condition, clear of obstructions and flowing well. The officer has also confirmed that the farmer is aware of his riparian responsibilities. It was agreed that the Parish Council would take no further action.

2133.2 Letter of thanks received from Mrs Patricia Herrmann for the flowers sent.

2133.3 Data Protection Course – it was agreed that clerk should attend a course run by EALC.

2134. Points of Information None

2135. Date of Next Parish Council Meeting: .

Date of next Ordinary Parish Council Meeting Monday 11th September 2017 at 8pm in Women's Club.

Meeting ended at 9.40pm

Signed

Dated