

DEBDEN PARISH COUNCIL

MINUTES OF THE MEETING OF DEBDEN PARISH COUNCIL HELD ON
WEDNESDAY 6th JANUARY, 2016 IN THE MEMORIAL HALL, DEBDEN

Present:

| | | |
|-----------------|------|---------------------|
| Cllr A. Tetlow | (AT) | (Chairman) |
| Cllr R. Forster | (RF) | |
| Cllr E. Blackie | (EB) | |
| Cllr S. Luck | (SL) | |
| Cllr A. Roper | (AR) | (From 16/147 – 156) |
| Cllr S. Watson | (SW) | |

In attendance:

| | |
|--------------------------|------|
| Mrs C. Griffin, Clerk | (CG) |
| 11 members of the public | |

16/147 Apologies for absence

Apologies were received from Cllr Alicia Tetlow (on holiday) and Cty Cllr Simon Walsh.

16/148 Declaration of interests

To receive disclosures of pecuniary and non-pecuniary interests in items on the agenda

No interests were declared.

16/149 To receive a report from Sgt Richards, Essex Police, and discuss any issues or problems

The Chairman welcomed Tom Bastendorffe from Essex Police as Sgt Richards was unable to attend. He frequently provides crime reports to the Parish Clerk which are circulated to members of the Council.

An update was given on the changes and cut backs at Essex Police.

Over recent years they have lost a third of their budget and they have more complex problems to deal with. Therefore changes have had to be made to target their resources more effectively. On average, Essex Police receives 1200 calls per day. There are less officers on the street, stations have been closed but under the new plans there will be officers in Saffron Walden and a station of some description will remain in the town. He was asked if there is anything the residents of the village could help with and he stressed that communication is important.

Questions were raised regarding squad cars, PCSO duties, emergency plans, problems with the 101 service, speedwatch, neighbourhood watch, visits to primary and secondary schools, speed signs on wheelie bins and littering.

The Chairman thanked Tom for attending and answering questions.

16/150 Public participation session (15 minutes available if required)

Residents raised the following issues:

- The Recreation Ground Trust have obtained legal advice; who is paying for it? The Chairman confirmed that the PC pays all the invoices for the Recreation Ground which is quite legitimate.
- Under 16/159 a report will be given on the meeting of the Recreation Ground Trust held on 9th December. How can you reconcile the decision against the land swap when you are elected representatives to represent the village and the majority of the village want the land swap.
- We need to know how the decision was made. RF said he felt he voted in the best interests of the village and when I read the minutes you will know the reasons why I voted in that way.
- The legal advice said the land swap was not possible. If that advice was ignored what would be the worst thing that could happen. Where would this objection come from? EB said the Charity Commissioners establish what is legal and they said we need to follow correct procedures. It is buying a piece of land and selling a piece of land.
- Will the procedure and advice be made public? EB said the advice to the Trust does not have to be published. There was advice from the Solicitor and the Charity Commission. SW and SL are conflicted and therefore have been excluded from discussions.
- I have been totally misrepresented on what I said at the October meeting. There are people in this room who have been verbally bullied and abused and that was what I was referring to.
SL said no evidence has been produced.

The public participation session was then closed.

16/151 To receive a report from Dist Cllr Tina Knight and Cty Cllr Simon Walsh

Dist Cllr Knight reported that:

- She will be publishing a newsletter shortly.
- There is new information coming out from the Citizens Advice Bureau offering additional services.
- She will be allocating her UDC grant to the Debden History Group and the Village Shop this year.
- The unfortunate incident involving a dog in the village during the Trailscape event on 31st October is being followed up.
- Problems involving potholes, byways and the current situation at the bottom Fox Hill have all been reported.
- Other domestic problems have been dealt with successfully.
- Information has been sent to the Ombudsman regarding the school buses.
- She voted in favour of a single settlement six years ago and UDC are well aware of her views. Unfortunately a lot of damage has already been done and is still being done. Debden PC made a wise decision in supporting a single settlement.

- Tang Ting is going well; our Appeal raised £23,000 as people were extremely generous. There will be a report in my newsletter.

Cllr Knight was requested:

- To contact ECC regarding the road closure in Henham and ask if the diversion could be arranged so that traffic is directed back through Thaxted in future.
- To speak to Cty Cllr Walsh concerning a bridleway closure at Debden Green from October – April. A photograph of the notice will be forwarded.

The Clerk reported that she had received a short report from Cty Cllr Simon Walsh giving details of the impact of the government settlement for next year. ECC will receive £50 million less in grants, totalling £140 million less by 2019/20. The position regarding the national living wage is now clearer and some £40 million will not be covered by the government.

Primary School admissions are open for children born between 1st September 2011 and 31st August 2012 and must be in by 15th January 2016.

Cty Cllr Walsh has been assisting with the drains, defects have been raised and the main problem is the blocked pipe outside Ivy Todd Cottage and other gullies on the hill

15/152 To approve and authorise the Chairman to sign the Minutes of the Meeting of the Council held on 2nd December, 2015

SL raised issues in the public participation (15/134) and clerk's report (15/137) section of the minutes.

Following an amendment to 15/137 relating to calls received regarding the December Parish Pump (full details of calls received are under 16/145.6) it was resolved that the Chairman should sign the Minutes as approved.

Proposed: EB

Seconded: AR

All agreed

Regarding the report read by SL under 15/139 this will be attached to the minutes when they are published.

15/153 To receive an update from the Parish Clerk

CG highlighted the following:

- The training event is being organised on 3rd February at 8.00pm and members confirmed this was convenient.
- She is hoping to meeting Spartak this coming Saturday to receive the signed contract.
- An example was shown of a sticker and a price will be obtained for 50 stickers.
- She has had many conversations with ECC concerning the drains and the jetting crew have been asked to attend but no date available.
- There have been some queries regarding the defibrillator call sign but these have now been resolved and Tony Vernon is writing an article for the next Parish Pump.

- The Local Highways Panel will be meeting later this month and they asked if there are any further schemes to be considered. I would suggest we add improvements at Fox crossroads. The PC agreed and an application form will be completed.

16/154 To discuss the principles in public life and confirm the roles of Parish Councillors

SL had raised issues concerning the comments made under public participation at the December meeting earlier in the meeting

This matter was drawn to the Council's attention by a resident who had pointed out that the Nolan principles are the basis of standards expected in public life.

Members of the PC felt that the individuals involved should get together and discuss this.

The Clerk presented a copy of the election papers used for the parish election in May. Everyone who stood for election had a copy of these documents and they included the Nolan principles. They are also included in the Good Councillor's Guide which is circulated to all members. SL had a hard copy of the latest edition and Clerk will forward an electronic version to all other Councillors.

16/155 To discuss arrangements for the Annual Assembly

It was agreed that this should be held on Wednesday, 4th May. To be discussed further at March meeting.

16/156 To review the hiring arrangements for the Allotments and agree to inform Wimbish, Widdington, Thaxted and Saffron Walden Councils that allotments are available for rent.

RF reported that these have been advertised in the Parish Pump but no enquiries have been received.

All existing tenants were notified in March 2015 that rents would be increased as follows in April 2016:

| | | |
|------------------------------|--------|--------------------------------|
| Single plot | £25.00 | (£20.00 plus £5.00 for water) |
| Single plot (senior citizen) | £15.00 | (£10.00 plus £5.00 for water) |
| Double plot | £40.00 | (£30.00 plus £10.00 for water) |
| Double plot (senior citizen) | £25.00 | (£15.00 plus £10.00 for water) |

No further increases were made.

SL suggested that all tenants should pay a deposit of £50 as this year it has cost £400 to reclaim some plots. Members felt this was unnecessary as no other providers do this.

RF is now managing the plots so this should not happen in future.

16/157 To review the thinning of the trees on the Mill Road verge and agree procedure to follow

RF advised that a significant number of new trees were planted on Mill Road in 1999. We were granted a licence by ECC to plant them and we are responsible for maintaining them although there is nothing in the agreement regarding removal.

Four or five trees have not grown properly, are misshapen and need taking out but we must follow correct procedure.

The Clerk will speak to the ECC Arboriculturist.

16/158 To review arrangements for Footpath Cutting

The Footpath Warden will be asked to provide a report for the March meeting.

16/159 To receive a report on the Recreation Ground Trust meeting held on 9th December 2015.

RF read the minutes of the meeting on behalf of the Trustees.

SW asked why the Trustees decided to send a copy of the letter to Lt. Col. Will MacDonald at Carver Barracks. RF said the Trustees felt that because the Army had made such a generous donation they should be informed of the decision. The Trustees did not want to create the impression that the Recreation Ground Trust is against a new Village Hall.

SW and SL asked for details of the alternative plan.

EB said it was nothing to do with the Parish Council or the Recreation Ground Trust as they were continually being reminded by representatives of the Village Hall. Why were they asking about an alternative when they could build on the current site. You were aware of the legal position and by continuing to press for an exchange of land on the site you have chosen you were asking the Recreation Ground Trustees to break the law.

SW said it has come down to an opinion of the Trustees. There is nothing legal to prevent the land swap, it is not against the law and Charity Commission advice. EB confirmed that the Trustees made a decision based on facts, there was a whole array of legalities and they followed proper procedure. Everyone who voted understood all the facts and voted on the legality of the proposal. It was not a matter of personal opinion, the decision was based on facts.

SW said the Recreation Ground Trustees have made a decision and I accept that, but the Village Hall Trustees would like you to reconsider that decision.

SW advised that she is no longer the Chairman of the Village Hall.

(meeting closed)

A member of the public requested a copy of the solicitors advice.

Another member of the public referred to the fact sheet that had been sent to all the Recreation Ground Trustees and the issue regarding the covenants.

(meeting open)

EB explained that there seems to be confusion among some members of the public and the NVHG between the Recreation Ground Trust Charity and the Village Hall Trust Charity. The two Trusts are completely separate entities with their own separate covenants that were established by Lady Strathcona in the 1920's. Whilst it appears the covenant on the Village Hall has expired, the Recreation Ground Trust has its own covenant based on the 1922 Trust Deed and reconfirmed in the 2002 Trust Deed. The Trustees have a duty to act in the best interests of the Recreation Ground Charity and the decision had been made according to these. There is nothing to review. The non-conflicted Trustees believe there should be a new Village Hall but not to the detriment of the recreation ground. SL said that is not the opinion of the village.

SL said it has been mismanaged.

I have been told I am conflicted but I have letters from the Charity Commission advising me that I am not conflicted. Due process has not been followed.

SL said he has not been allowed to operate as a Trustee and has been excluded from the solicitor's advice. The Clerk advised that all the documents sent to the solicitor were available at the meeting on 22nd October. The solicitor's advice was circulated to all Trustees.

EB explained that SL's conflict arose from a point of loyalty to an organisation closely concerned with the land exchange. As SL is the Chairman of the NVHG he is conflicted on this issue.

SL said there is no loyalty to the village as the majority want a new village hall. The results of the independent questionnaire were raised again and it was confirmed that the assumption that 74% of the village wanted the new hall on an alternative site was incorrect.

EB explained that a closer assessment of the questionnaire shows that only 175 households replied out of 325 consulted, just over 50% of the village. Of those 175 households, 33 did not want a new village hall, 49 wanted it 25% bigger rebuilt on the present site. Therefore the ratio of those wanting a new hall on an alternative site is approximately 50/50. The decision taken by the Recreation Ground Trustees was to safeguard the best interests of the Charity.

16/160 To receive an update on the Pavilion planning application and review the Insurance.

The Clerk reported that the planning application, plan, design and access statement and location plan was delivered to UDC and she was subsequently advised that the application was incomplete. The Clerk has liaised with SW and Alan Hynes, who kindly prepared the drawing. The Biodiversity statement, prepared by SW, and additional documents will be sent as soon as they are ready.

The current insurance policy has been circulated and will be discussed at the March meeting.

16/161 To review the hiring arrangements and charges for the Football, Tennis and Rounders Clubs

The hiring charges were reviewed and no changes were made. With regard to the Tennis Club, the contract can now be issued. The club is waiting for the contact details of the engineer as it seems that if bracing is fitted to the posts he will reinstate the insurance for 12 months whilst the work is carried out.

16/162 To review the reasons for the damage to the Recreation Ground car park, necessary repairs and possible ways to reduce this in future.

RF reported that there is a massive pot hole near the entrance which needs urgent attention. AT and RF will deal with this as soon as weather conditions improve. RF asked if the rubbish bins could be repositioned as the large UDC refuse lorry damages the car park when collecting the rubbish. As SW did not think this would be possible RF will ask UDC if they could send their smaller truck.

16/163 To agree the Budget, circulated prior to the meeting, and set the Precept for 2016/17

Details of the proposed Budget and Precept were circulated prior to the meeting. The Budget was agreed at £16,885.00 and it was proposed that the Precept should be set at £16,950 (£16,461 Precept, plus Grant £489).

Proposed: AT

Seconded: RF

SL opposed, all other members agreed

16/164 To discuss planning applications received

The following application has been received:

UTT/15/3764/FUL Hillside, Ivy Todd Hill

Proposed new dwelling with cartlodge style garage.

No comments

16/165 To agree to enter the 2016 Best Kept Village Competition

SL suggested that the village should enter again this year and it was agreed that an application should be made as soon as the forms are available.

16/166 To approve Accounts for payment including the transfer of the balance of funds raised for the Defibrillator to a separate account.

The following payments were approved:

| | | |
|---------------------|-----------|---|
| C. Griffin | £386.37 | Net salary + expenses (December) |
| Debden R.B.L. | £60.00 | Poppy wreaths for remembrance |
| Debden Village Shop | £50.00 | Electricity for light and defibrillator |
| HMRC | £271.80 | PAYE (Oct/Nov/Dec) |
| Uttlesford D.C. | £1,142.67 | Election expenses 7 th May 2015 |
| C. Griffin | £16.00 | Hire of Hall for R.G. Trust meeting, 9 th December |
| Mills & Reeve | £2,340.00 | Advice on land exchange |

It was agreed that after paying costs incurred for training and hire of the room at the Church, the balance of £300.00 should be transferred to the Saffron Building Society. The account will be opened and Gillian Lee, EB and CG will be signatories.

16/167 To discuss any Urgent matters of interest to the Parish

167.1 As soon as the weather improves the road planings will be spread on the car park.

167.2 SL advised that a Barn Dance will be held on 9th July in Buntings Barn

16/168 Items for the next agenda

To review the Insurance for the Pavilion

To receive an update on the end of year Accounts

16/169 Date of next meeting

The next meeting will be on Wednesday, 2nd March at 8.00pm in the Village Hall.

There will be a training session at 8.00pm on Wednesday, 3rd February instead of the usual meeting.

The meeting closed at 10.35pm.

Signed..... (Chairman)

Dated: 02.03.16.