

## DEBDEN PARISH COUNCIL

MINUTES OF THE MEETING OF DEBDEN PARISH COUNCIL HELD ON  
WEDNESDAY, 11TH MARCH, IN THE MEMORIAL HALL, DEBDEN.

Present:

Cllr A. Tetlow	(AT)	(Chairman)
Cllr R. Forster	(RF)	
Cllr S. Jasper	(SJ)	
Cllr S. Luck	(SL)	
Cllr J. O'Brien	(JO'B)	
Cllr R. Simmonds	(RS)	
Cllr S. Watson	(SW)	

In attendance:

Dist Cllr T. Knight

Mrs C. Griffin

Clerk (CG)

Mr. P. Moxham, Carver Barracks Representative

(PM)

9 members of the public

### 15/206 Apologies for absence

No apologies received

### 15/207 Public participation session (15 minutes available if required)

Residents raised the following issues:

- Mr. Perry, UDC, requested that the letter which I sent to him with regard to the debate at the February 2014 meeting be made public. I have no issue with this; I would just like to see an end to this matter and the truth to be known.
- Following the last meeting it has been established that the PC has to organise the Annual Assembly, could a reasonable slot of 5/10 minutes be allowed for the NVHG.
- ECC has not repaired Samsons Lane for the past four years but have cut the hedges. The rotten bridge that has been reported previously is dangerous. The Footpath Warden will be advised of this.
- Could the PC write to the S.W. Rugby Club regarding cars speeding through Debden Green and Hamperden End on Sunday mornings.
- PM advised that a significant amount of work has been done regarding alternative routes for the Army vehicles in order to avoid going through Debden village. The Army has asked for permission to use civilian contractors which can use Armitage bridge. The convoy going through the village this Friday morning, 13<sup>th</sup> March, should be the last and Glen Hartwell will be in the village to oversee it.

### 15/208 To receive reports from District and County Councillors

Dist Cllr Knight reported that:

- The issue of the Army vehicles coming through the village is not the fault of the Barracks. They have bent over backwards to deal with this and let us hope that the new arrangements work successfully.

- Cty Cllr Simon Walsh has supported our efforts to get action on the bridleway near the Riding Centre at Barnards Farm which goes through to Pepples Lane. Wimbish. It is understood it will cost in the region of £90,000 to repair. I am working with other Councils to try and get these closed during the winter months. The PC confirmed it has requested a report on the winter closures from Cty Cllr Walsh.
- A significant amount of money is being wasted on pothole repairs. ECC come and repair one and leave all the rest that are nearby.
- The Code of Conduct complaint which Cllr Luck brought against me has been thrown out by the UDC Standards Committee.

**15/209 Declaration of interests relating to items on the Agenda**

SW declared an interest in 15/220.

**15/210 To approve and authorise the Chairman to sign the Minutes of the Meeting of the Council held on 4<sup>th</sup> February, 2015**

It was resolved that the Chairman should sign the Minutes as approved.

Proposed: RF

Seconded: JO'B

All agreed

**15/211 To receive an update from the Parish Clerk**

CG reported:

- All the actions from the last meeting have been dealt with.
- Glen Hartwell, Carver Barracks, has been in touch regarding an update on the Army vehicles but to date she has been unable to speak to him
- After numerous emails and 'phone calls she is back where she started on the complaint made regarding the road surface in Rook End Lane.
- Many more calls and enquiries have been received this month. Firstly on the road closures, particularly about arrangements for the buses, and following the Army presentation when reference was made to the PC in connection with the Community Covenant Grant application. Clarification is required under 15/213 on the tripartite group in view of what has been said and minuted previously. The PC's name has been included on the application without this being approved by the Council.
- All Parish Councillors attend a Council meeting as a Councillor, they cannot attend as a resident.

**15/212 To receive a report on the UDC Meeting regarding Parliamentary/Local Government Elections on 7<sup>th</sup> May**

CG reported that she attended the meeting at UDC with RF and collected nomination papers which need to be returned to UDC by 4.00pm on 9<sup>th</sup> April. Notification will be received week commencing 13<sup>th</sup> April as to whether an election will be held. If seven or less residents send in nominations the candidates will be automatically elected. If more than seven candidates are nominated an election will be held on Thursday 7<sup>th</sup> May.

Councillors come into office the following Monday, 11<sup>th</sup> May, therefore the May meeting will have to be changed to the 20<sup>th</sup>. Candidates should note that if elected they will be required to complete a declaration form at the first meeting and sign up to the UDC Code of Conduct which the PC adopted in June 2012.

**15/213 To discuss the Community Covenant Grant application form submitted for the New Village Hall**

SW, Chairman of the Trustees of the Village Hall, reported that an application has been submitted for funding under the Community Covenant. The Trustees of the Village Hall submitted the application and reference was made to the agreement which was made between the PC, the Trustees of the Village Hall and the NVHG. The Village Hall should receive a reply by the end of week commencing 16<sup>th</sup> March.

RF, PC representative, said he had asked for information on this a number of times and if the PC is part of this why did they not have sight of it before it was submitted. Presumably the NVHG were involved in it. SJ said if the PC is party to this agreement why has nobody mentioned this earlier.

SW said she signed the application form and any funding will be controlled by the Village Hall Trustees. We had only three weeks to prepare it and if we had missed this opportunity we would not have had another chance.

RF pointed out that the application is based on a project which the village has rejected. A budget of £530,000 has been given, but this application is for £430,000 which is considerably less.

JO'B pointed out that from a legal point of view, the PC are custodians of the Village Hall which means they have to do what the Trustees ask them to do. If the PC is going to support in another way that is wearing a different hat. It must be made clear about the three different hats.

CG advised that the Army contacted her and she advised that the PC had not discussed submitting an application and were not aware that a Community Grant application had been made. They have now asked if the PC is going to support this application and if so can it then remain in the system. If the PC are not going to support it then do they want it removing from the funding committee. The process of removing their name from the application would not be very easy as it has gone through screening and all serials will have been taken into account and also who is supporting the project.

The Parish Council said they wished to fully support an application for the Community Covenant Grant for a new Village Hall based on a revised design which is currently being worked on. Carver Barracks will be informed of this.

CG pointed out that the start date on the form is Spring 2015 but the issue relating to the land has not yet been dealt with.

**15/214 To discuss arrangements for the Annual Assembly**

Following the last meeting, CG contacted EALC who confirmed that the Annual Assembly has to be organised by the PC. The Editor of the Parish Pump and all members of the Council were informed. Any refreshments can be funded from the Chairman's allowance but it is important they are modest.

The Chairman signed the notices which will be displayed in due course. CG will invite the District and County Councillor.

(The Chairman closed the meeting)

The Editor of the Parish Pump said he will invite representatives who submitted a report last year to do so again, and request contributions from other organisations.

(The Chairman opened the meeting)

Some members of the Council offered to supply wine which will be available from 7.30pm. The meeting will commence at 8.00pm and begin with a report from the PC Chairman followed by District and County Councillor reports. The Chairman said the District and County Councillor must be allowed as much time as they need to give their reports and answer questions.

**15/215 To discuss the Parish Pump Constitution and appoint a Parish Council representative to the Committee**

CG said it had been pointed out to her that there are currently items in the Parish Pump with no names. It is understood the constitution states that any material sent to the editors should have the name of the person submitting it. In future, Clerk will direct any enquiries to the Chairman of the Parish Pump.

There were two volunteers willing to represent the PC on the Committee and SJ was subsequently appointed. CG will inform the Parish Pump Secretary and the PC asked if they could be informed of the date of the AGM.

**15/216 To consider resolving to suspend Standing Order 11(a) to enable discussion of statement received from Cllr S. Luck**

All members agreed to suspend Standing Order 11(a) for this meeting.

**15/217 To discuss statement received from Cllr S. Luck dated 4<sup>th</sup> February 2015 and consider publishing the letter received from the UDC Standards Committee, subject to approval of suspension under 15/216**

CG read Cllr Lemon's reply to the questions raised by the PC, dated 11<sup>th</sup> December 2014, summary below:

**Why was the PC not notified of the time and date of the Standards Committee hearing?**

*The PC was not party to the complaint. The only persons who are informed are the subject member, the complainant and any witnesses who are requested to be present.*

**Why was the PC not consulted regarding the alleged apology given by Cllr Luck at the meeting of the PC in February 2014?**

*At the commencement Cllr Luck submitted witness statements and a number of these indicated that he had apologised at the February meeting. For reasons set out in the investigating officer's report that evidence was not accepted at that stage. There was no need to seek further views from the PC on this. At the hearing additional evidence, from two members of the PC, was introduced by Cllr Luck's solicitor which supported Cllr Luck's contention that at the March meeting he had asked for the minutes of the February meeting to be amended to make reference to his apology. In the light of that evidence the investigating officer changed his position and accepted that Cllr Luck had apologised at the February meeting and had asked for the minutes to be changed. The Committee reached the same conclusion as the investigating officer. It would have been possible for the hearing to be adjourned and the PC consulted but such a*

*step would have been wholly disproportionate and would have meant there was a conflict of evidence. Where there is any doubt with regard to the evidence the benefit of that doubt must be given to the subject member; therefore the finding of the Committee would inevitably have been the same. The Committee have found that Cllr Luck breached the Code of conduct. The issue as to whether or not he apologised for his conduct was therefore only relevant in determining what action (if any) to impose.*

**Why witness statements with no addresses and unsigned were accepted on the day of the hearing?**

*Evidence in any form is admissible before a Standards Committee. The statements of two Councillors were presented by Cllr Luck's solicitor therefore there was no reason to doubt the authenticity. The Committee were satisfied that the statements were in the balance of probabilities true.*

*The Committee regrets that its findings should have caused so much controversy within your parish. However, on the evidence before it at the hearing it was entitled to come to the findings of fact which it did and its decision stands, namely that Cllr Luck had breached the Code of Conduct of Debden PC and that no further action was required with regard thereto.*

SL advised that JO'B had asked at the September meeting for the item to be deferred and, as he was not present, he was disappointed this was not done. There was no appeal process. Cllr Lemon has now replied but I was ashamed that you did that. The apology has been noted and I was cleared of all other accusations.

The statement received from SL on 4<sup>th</sup> February questioned whether the Council is going to correct the statement made by SJ at the September meeting.

SJ said that, bearing in mind that SL had breached the Code of Conduct, last week I received a letter from Mr. Perry, UDC, informing me that he had received a complaint from Cllr Luck that I had breached the Code of Conduct by virtue of a statement made at the PC meeting on 3<sup>rd</sup> September. It was alleged that the statement I made contained matters that were untrue and the tone of the statement was defamatory in its nature against Cllr Luck. Today, I have been informed that this does not merit further investigation and no further action will be taken. Cllr Knight also reported earlier in the meeting that a complaint made against her has also been thrown out.

SJ said that all the comments he made in his statement were, in his opinion, correct.

SL said SJ was wrong, but SJ reiterated that nothing he said was incorrect.

The Chairman concluded that this discussion should be an end to the matter and this should not be raised again.

**15/218 To receive an update on the footpath cutting and public rights of way**

SL reported that he has consulted with the Footpath Warden and will obtain a quote for cutting all the paths approximately late May/June.

**15/219 To receive an update on the project to extend the Recreation Ground**

Deferred until the next meeting.

**15/200 To discuss a request to erect a marquee on the Recreation Ground from 29<sup>th</sup> May – 1<sup>st</sup> June for a party and approve conditions**

SW confirmed that the marquee would be erected in the same location as the marquee which was erected for a wedding in 2013. The PC agreed that the terms and conditions for this should be the same as before, full details of these to be circulated.

**15/201 To discuss a request from Debden Football Club to play extra matches on the Recreation Ground**

SW reported that the Football Club is currently playing eight home matches per season. The Reserve team would like to play additional games. The PC agreed to this providing they are on a Saturday and in accordance with the contract.

**15/202 To approve repairs to the cableway(aerial runway) on the Recreation Ground**

RF reported that a new spring and buffer tabs are required. A quotation has been obtained for supplying and fitting these, but in view of the cost RF will obtain the parts and fit. SW reported that the seat has also been chewed by a dog. The dog has been reported to the Police as it is thought to be dangerous. RF will inspect.

**15/223 To discuss a proposal to obtain two Defibrillators (one for the centre of the village and one for the guardroom at Carver Barracks) and approve installation cost of village defibrillator of £530.00 (estimated) plus fitting and connection charges. Annual costs for powering defibrillator £43 (estimated)**

The Chairman said he felt this should be paid for by various groups in the village as this would make it more personal. Debden is currently covered by Thaxted First Responders who have two defibrillators and a trained team.

SL said he has taken delivery and signed for two units. One of these will be placed in the guardroom at Carver Barracks. It is important that the village commit to £530 for the installation and it was suggested that the ideal location would be on the corner of the Shop by the PC's light. The First Responders will train twelve volunteers at a time. They remain the property of the Essex Ambulance Service who will replace pads, batteries, etc., and upgrade when necessary.

(Meeting closed to allow members of the public to speak)

Dist Cllr Knight advised that when this came up some time ago there were four people in the village who had already been trained. It was suggested this should be raised at the Annual Assembly. There will be more funding available from the District Council for the community next year.

A resident present said she had some silver jewellery which she was willing to raffle at the Annual Assembly to raise money. This would raise awareness and if people contribute they usually take ownership. She added that she has received defibrillator training locally. The Chairman thanked the resident for her very generous offer and the PC confirmed that they would be happy for her to organise this at the Annual Assembly.

(Meeting open)

The PC will organise the box when the funds have been raised.

**15/224 To discuss the CCTV Maintenance Review**

SL said he was disappointed with the quality of the images obtained from the CCTV and will make enquiries with the Police regarding requirements and quality.

**15/225 To receive a report on the RCCE Event held on Thursday 26<sup>th</sup> February**

Unfortunately JO'B and SL were unable to attend and sent apologies.

**15/226 To discuss entering the 2015 Best Kept Village Competition**

It was decided not to enter the competition this year.

**15/227 To approve the Allotment Agreement**

RF pointed out that a few minor alterations are required. The changes will be made and circulated prior to the next meeting

**15/228 To discuss taking part in the Community Clear-up Day on 21<sup>st</sup> March, details circulated**

RS said he would be willing to organise this but will not be available on the 21<sup>st</sup>. It was agreed to organise this for on Saturday 28<sup>th</sup> March. Some notices will be put on the boards and hopefully a group of volunteers will come forward.

**15/229 To consider a response to the Bus and Passenger Transport Strategy Consultation**

Notices have been displayed on the boards in order for residents to reply. SW offered to complete a questionnaire on behalf of the Parish Council

**15/230 To consider a response to the draft Statement of Community Involvement, details circulated.**

As the deadline is 13<sup>th</sup> April, this was deferred until the next meeting.

**15/231 To approve the replacement of the "Please drive slowly through our village" sign on Ivy Todd Hill**

RF reported that the sign is badly bent and he has obtained a quotation of £80 for a new sign. It was proposed that this should be ordered.

Proposed: AT

Seconded: RF

All agreed

**15/232 To discuss planning applications received**

The following applications have been conditionally approved:-

UTT/14/3821/FUL – Hamperden End

UTT/15/0122/HHF - New Hamperden Hall Bungalow

The following application has been received, no comments submitted:

UTT/15/0263/HH New Amberden Hall

**15/233 To receive an update on the Accounts at the year end**

CG reported that she estimated that balances should be PC Current Account £3,026.61, Recreation Ground Account £1,604.27 and Business Reserve Account £22,647.75, subject to direct debits during March.

**15/234 To approve Accounts for payment**

The following cheques were approved for payment and signed:

C. Griffin	£386.37	Net salary + expenses (Feb)
C.L. Prentice Ltd	£630.00	Complete refurbishment of village notice board
Debden Parish Pump	£200.00	Annual contribution
CAS	£84.43	Additional charge on Policy YLL272004 following updating of Asset Register in January
R. Forster	£5.99	New key for pavilion
CAS	£306.84	Pavilion Insurance

**15/235 Items for next Agenda**

- To discuss arrangements for flower tubs and baskets for the summer.
- To receive a report following meeting with the Auditor
- To receive an update on funding for the Pavilion

**15/236 To discuss any Urgent matters of interest to the parish**

**236.1** SL reported that complaints were received about the cycle race on Sunday, 1<sup>st</sup> March. The PC were not notified of this event.

**236.2** The PC will chase improvements to the road at Elder Street.

**236.3** CG reported that ECC clear the drains once a year, previously it was twice.

**236.4** SL raised the review of the Code of Conduct. CG pointed out that if the PC should decide to change from the UDC Code which they adopted in June 2012, the new code will have to be approved by Mr. Perry at UDC.

**236.5** It was reported that it is understood the three year tenure of the Editor of the Parish Pump has come to an end.

**15/237 Date of next meeting**

The next meeting will be on Wednesday, 1<sup>st</sup> April at 8.00pm in the Memorial Hall

The meeting closed at 09.40 pm

Signed..... (Chairman)

Dated: 01.04.15