



MINUTES

Meeting: COUNCIL

Date: 3rd April 2017

Time: 7.30PM

Venue: NORTH WEALD LIBRARY, 138 HIGH ROAD, NORTH WEALD

PRESENT:

Councillors (10) C Hawkins (Chairman), A Buckley, B Clegg, B Bartram, G Mulliner, Mrs Grigg, Mrs Godwin-Brown, N Bedford, R Spearman, M Harris*

*Arrived late

Officers in Attendance (2)

Susan Deluca - Clerk

Joanna Tyler – Senior Administrative Officer

Members of the Public (7)

Members of the Press (0)

C16.160 APOLOGIES FOR ABSENCE (5)

NOTED that apologies for absence had been received from Councillors Mrs Jackman MBE, Blanks, Eldridge, Tyler and Stallan

C16.161 OTHER ABSENCES (0)

No other absences were recorded.

C16.162 MINUTES

The Minutes of the meeting of the Parish Council held on Monday, 6th March 2017 were **AGREED** and duly signed as a correct record.

The Minutes of the Parish Hall at Thornwood Common Management Committee meeting held on the 9th March 2017 and the Minutes of the Allotment Committee meeting held on the 19th March 2017 were **NOTED**.

C16.163 DECLARATIONS OF INTEREST

Cllr Mrs Grigg declared a Non Pecuniary Interest in agenda number 19.

C16.164 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were 7 members of the public present, no one expressed a wish to raise a question.

C16.165 CLERKS COMMUNICATIONS AND CORRESPONDENCE REPORT

Councillors **NOTED** the Clerks report as attached to the agenda.

| Date | Reported By or Action Initiated By | Regarding | Action Taken | Further Action Taken |
|-------|------------------------------------|-------------------------|--------------|------------------------------|
| March | CLERK/PFO | Neighbourhood Area Plan | Ongoing | Various Actions |
| March | Senior Admin Officer | Quality Council | Ongoing | Preparation of documentation |
| March | PFO/Senior | Allotments | Ongoing | Various Actions – ANNUAL |

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|--|---------------------------|-------------------------------|--------------------------|------------------------------|
| | Admin Officer | | | ALLOTMENT MEETING |
| March | Clerk | Travellers | Local Traveller | Assisting with Displacement |
| March | PFO/Sen. Admin Officer | Civic Awards/ Ann Assembly | Various Documentation | Preparation of Documentation |
| March | Clerk | Land | Ongoing | First Registration of Land |
| ITEMS RECEIVED WHICH MAY BE OF INTEREST | | | | |
| Various EFDC Agendas, North Weald Village Life, EALC – Various Items | | | | |

C16.166 REPORTS AND MEMBERS REPORTS

- a) **Chairman's Report** – The Chairman reported that he had received a visit from Mr Parris on Friday, 31 March 2017. Mr Parris expressed concerns regarding the way he believes he has been treated by the Parish Council with regard to the access to Wheelers Farm Gardens Allotment site. He has requested a meeting with District Councillors Stallan and Mrs Grigg, the Environmental Committee Chairman, the Clerk and the Chairman of the Parish Council. The Chairman informed Members that he had advised Mr Parris to contact the two District Councillors direct with regard to arranging a meeting. The Chairman stated that he would be giving a full report at the next Environmental Committee Meeting, following which there would be a report to Council.

The Clerk advised Members that in relation to the Building of the New Housing by EFDC, as the application was an EFDC Application the access arrangements were the responsibility of the District Council and not the Parish Council.

The Chairman reported that several people had thanked the Parish Council for the garden outside the parade of shops and would like the garden noted under North Weald in full bloom.

- b) **Vice-Chairman's Report** – Cllr Buckley reported that a lot of residents had commented on how nice the garden looks. He advised that he planned to carry out some weeding later in the week and stated that any volunteers would be very welcome.
- c) **District Councillors Report** – Cllr Mrs Grigg stated that she had nothing to report. Cllr Bedford reminded Members that the Essex County Council would be entering a period of purdah due to County Councillor elections to be held on Thursday, 4th May 2017.
- d) **Councillors Reports** – No report.
- e) **Environmental Issues** – Cllr Mulliner reported that some of the daffodils at the end of Church Lane appeared to have been vandalised. The Chairman advised that a row of daffodils in Thornwood had also been vandalised.

C16.167 FINANCIAL REPORTS

- a) **List of Cheques & Monthly Statement of Accounts**
The Clerk tabled a copy of the monthly accounts list, Councillors **APPROVED** the payments made and income received and **NOTED** the account balances for the period ending 31st March 2017.

Following approval, Cllr Mulliner raised a query with regard to the balance of the payments, querying the total amount paid out. The Clerk advised that the figure quoted would include payments relating to salaries which are not itemised. Cllr Mulliner was happy with the explanation, however the Chairman stated that he would arrange for the report to be checked.

- b) **Internal Audit** – Councillors **NOTED** that the Internal Auditor would be in attendance at the Parish Council Office on the 9th June.

C16.168 RECISION OF DECISION – NEIGHBOURHOOD PLAN

Members **NOTED** that in accordance with Standing Order 15.1, three signatures from Councillors had been received to place this item on the Agenda.

Members **NOTED** that at the last meeting the Clerk placed an item on the Agenda regarding the Neighbourhood Plan Steering Group. As a result of this item, a number of Members of the Steering Group had attended the meeting and voiced their concerns that the Clerk had exceeded her remit within her role as Clerk of the Council. This point was also questioned by a Councillor. Following discussion on both this and the future of the Neighbourhood Plan, Members agreed that the way forward was to hold a mediation meeting between the Parish Council and the Neighbourhood Plan Steering Group (which Cllr Stallan agreed to Chair) and that if issues can be resolved, then the Neighbourhood Plan should progress forward with Option 3 – *Ask the Steering Group to provide a written report to the Parish Council clearly setting out their project plan and timeline so this can be approved by the Parish Council.*

Following that meeting, the Clerk had serious concerns that it had been implied she had acted outside of her remit as Clerk, she felt it important to seek clarification from The Essex Association of Local Councils (EALC) and the Council's Internal Auditor, that she had indeed acted appropriately and according to her position as the Proper Officer of the Council. The Clerk received confirmation from both parties that she had not exceeded her position. In addition to this, the Clerk also received recommendations from Joy Darby, the Chief Executive of EALC (who represented Of the National Association of Local Councils) which were also supported by the Internal Auditor. The Clerk therefore acted upon those recommendations as follows:-

- *Contacted Rural Community Council of Essex (RCCE)*
- *Arranged a meeting with RCCE*
- *Distributed the notes of the meeting with RCCE to three Councillors – Cllrs Hawkins, Buckley & Stallan*
- *The three Councillors noted the notes and agreed with the potential proposals to go out to Neighbourhood Plan Steering Group, past and present, for comment before they were possibly considered further by the Parish Council*
- *The date for a meeting – 20th April – was advised*
- *By the morning of Tuesday 21st March, the Clerk had received three responses on the notes/potential proposals – 1 via email and 2 via Steering Group Members coming into the office*

- *Later on Tuesday 21st March, the Clerk sent a chaser email and then received a number of responses (1 person advised they had been awaiting for the Clerk to make certain responses to an earlier email). The Clerk advised all Steering Group Members of the date for the proposed meeting which the Clerk proposed to include an item within the agenda for mediation*
- *The signatures were obtained so that this item could be placed on the Parish Council Agenda for discussion by Members, with a view to agreement for a formal proposal*
- *Meeting to be held on the 20th April – the following to be invited: Neighbourhood Plan Steering Group Members, Cllr Dave Stallan, Sarah Sapsford – Community Engagement Manger Rural Community Council of Essex, three Parish Councillors – Suggested: Cllrs Blanks, Tyler and Clegg*

This item had generated a significant amount of documentation and correspondence and copies of the documentation to EALC, Internal Auditor and some recent emails from the Neighbourhood Plan Steering Group and from the Clerk were attached to the Agenda. Councillors **NOTED** that other documentation was available for Members perusal.

Following discussion, The Parish Council **RESOLVED** to agree the Structure as appended to the minutes. The following was confirmed:-

The Three Councillors to be as follows:
Cllrs Blanks, Clegg and Tyler

As Cllr Blanks is currently away on holiday and had not been able to confirm his appointment on this Committee, Cllr Bedford **AGREED** to act as his substitute. He also agreed to act as a substitute if either Cllr Clegg or Tyler could not attend a meeting.

Cllr Mrs Grigg, asked that it be confirmed that Adriana would now be in attendance at the Neighbourhood Plan Steering Group Meetings, with the Clerk in support. This was confirmed. It was further confirmed that Cllr Stallan would act as a mediator for the first meeting on the 20th April. Cllr Mrs Grigg also asked for confirmation that the meeting was going to be held at the Library and that the time was going to be at 7.30pm.

Cllr Mulliner asked if other Parish Councillors could attend, he was advised they could of course, but it would not be in the same capacity as those who were on the NP Appointed Sub Committee.

C16.169 FIRST REGISTRATION OF LAND

Members **NOTED** that the Parish Council's Solicitors were continuing with their registration. Documentation from Essex County Council Records Office had now been submitted to the solicitors regarding three sites. The Clerk informed Councillors that she had an appointment to receive an update from Gerry Smith on Friday, 21st April at 2pm.

C16.170 QUEENS ROAD ALLOTMENTS

Members *NOTED* that clean up works to the allotments on the Queens Road site where the sewerage leak occurred had commenced. Works were expected to be completed by the end of March. Claim forms had been received for completion by the Parish Council and by tenants who had incurred losses. Confirmation had been sought from Thames Water as to when it would be safe for tenants to commence work on their plots.

C16.171 CEMETERY – VISIT BY ENVIRONMENTAL SUB COMMITTEE REGARDING ITEMS AND ADORNMENTS ON PLOTS

Members recalled that this item had been on the previous Agenda, regarding the matter of placing plastic flowers, ornaments, etc., on graves. The Clerk referred Members to the correspondence attached to the agenda from Tim Morris of the Institute of Cemetery and Crematorium Management. In order to proceed with this matter, the Parish Council would be required to create a sample letter and survey which would take into consideration the views of Grave Owners.

Cllr Mrs Grigg asked if the letter and survey would be sent to all Grave Owners but not to those who are adorning their graves with ornaments and plastic flowers. The Clerk confirmed that this would be correct. Cllr Harris stated that the letter and survey should be sent to all Grave Owners for comment. Cllr Mrs Grigg said that she disagreed with that. Cllr Bedford said that in the interests of being fair to all parties, the survey should be sent to all. The Clerk stated that it would be up to Councillors to decide.

Cllr Mrs Godwin-Brown stated that this matter had been an issue for many years, and asked if the ornaments, etc., got in the way of the mower when the contractor is cutting the grass. Cllr Clegg stated that care would need to be taken with the wording of the letter and survey, adding that the Parish Council needed to be sympathetic to those adorning the graves. Cllr Mrs Grigg said that the Parish Council view that it is a Lawn Cemetery needs to be stated in the letter and that we are seeking views from those with cemetery plots. The Chairman stated that in the Cemetery Rules and Regulations it clearly states the size of the plot, adding that the Parish Council needs to be more firm. Cllr Mrs Godwin-Brown suggested that the letter could state that we are unable to cut the grass because of the ornaments. The Chairman said that there are all manner of things placed on plots. Cllr Mrs Grigg suggested that the letter/survey could ask if there are any compromises. The Chairman disagreed and said that all Grave Owners need to comply with the Rules and Regulations.

Cllr Harris asked the Clerk if a copy of the Rules and Regulations were sent out annually to Grave Owners. The Clerk advised that Grave Owners are given a copy of the Rules and Regulations upon the purchase of a plot, adding that it would be too costly to send out on an annual basis. Cllr Bedford asked if a copy of the Rules and Regulations were on the Cemetery Noticeboard. The Clerk confirmed that there were, however arrangements could be made for a replacement copy on bright coloured paper. Cllr Bedford suggested that instead of a survey a note/letter could be placed on the graves with the ornaments, etc., directing them to

read the Rules and Regulations on the Cemetery Noticeboard. The note/letter could be placed in a clear plastic sleeve attached to a stake.

Following further discussion, Cllr Clegg **PROPOSED** that Members agree with Cllr Bedford's suggestion of placing a note/letter on the identified graves, directing owners to read the Rules and Regulations with regard to what is acceptable. Cllr Buckley suggested that a statement could be added saying that "*it is difficult to maintain the grass and we would not wish to ruin any ornaments*". Cllr Harris **SECONDED** the proposal, following which all Members **AGREED**.

C16.172 TREE RISK ASSESSMENT

Members **NOTED** that a Tree Risk Assessment would be carried out on Thursday, 27th April by Paul Wood Associates.

C16.173 BOUNCY CASTLES

Members recalled that last year the Parish Council made a decision not to allow Bouncy Castles on any Parish Council owned land or in their buildings until such time as the report on the fatality involving the child and the bouncy castle in Harlow had been published. A number of requests have been received for Bouncy Castles to be used in the Parish Hall or on land attached to it. Cllr Bedford asked the Clerk if a request could be made for hirers to secure bouncy castles to a vehicle. The Clerk advised that a vehicle would not be able to gain access to the area at the back of the hall, stating that the Parish Council rely on the hirer's liability insurance certificate, as there is no one available to carry out a Health and Safety check. The Parish Council's insurers were happy with that procedure, however after what happened in Harlow, Members made the decision that no bouncy castles would be allowed until a report had been published. The Clerk stated that a request had been made by the Thornwood Festival Committee and therefore asked if Councillors wished to review the situation.

The Chairman informed Members that the Thornwood Festival have liability insurance for £10m, the Clerk confirmed that this was the same amount held by the Parish Council. Cllr Buckley stated that as long as people are happy and have liability insurance in place, we could allow them to have bouncy castles. The Chairman stated that there are many items that the Thornwood Festival Committee no longer have on the day as the insurance premium goes up and up. Cllr Clegg asked if Members were saying that they were changing their minds, before the Parish Council had seen site of a report. Cllr Bedford read out a report from the Health and Safety Executive from his phone, mentioning wind speed requirements. The Clerk asked how would the Parish Council know that this is being adhered to.

Following lengthy discussion, Cllr Mrs Grigg **PROPOSED** that the Parish Council continued with the ban, until such time as the report is published. This proposal was **SECONDED** by Cllr Mulliner. A vote was recorded as follows:-

- 5 – for
- 4 – against

C16.174 THORNWOOD FESTIVAL

Members **NOTED** that this year's Festival is to be held on Sunday, 25th June 2017.

The Clerk advised that it would be necessary to close the field for 2 days, 24th and 25th June and that the relevant notices would be put up informing members of the public. The Festival Committee had requested permission to have use of the Parish Hall, free of charge, as in previous years. Members **NOTED** that the Clerk had received copies of all relevant insurance documentation. The Chairman informed Members that £4,500 was raised for St Clare's Hospice at last year's event. Cllr Clegg **PROPOSED** that Council formally approve the request. All Members **AGREED**.

C16.175 HASTINGWOOD VILLAGE HALL NOTICEBOARDS

Members **NOTED** that a request had been received from Hastingwood Village Hall Committee to use the Parish Council Noticeboards in Hastingwood to place Notices on, this was due to the fact that their boards had been destroyed by vehicles. They are looking to purchase new boards, however do not have the funds at the current time. All Members **AGREED**.

C16.176 DELEGATED POWER TO CLERK

Members **NOTED** that at the 20th March Planning Committee meeting, Councillors agreed that the Clerk should be given the delegated power to arrange for meetings with any individual or company wanting to meet with the Parish Council to present a development proposal. Any such meeting should be arranged 15 minutes prior to the next available Planning Committee meeting, preferably not on the same day as a Parish Council meeting. Members **AGREED** unanimously to grant this delegated power to the Clerk.

C16.177 EVENT IN THE NORTH WEALD VILLAGE HALL – PLACING OF AN A-BOARD ADVERTISING THE EVENT

Members **NOTED** that the Clerk had received a request regarding the placing of an A-Board, advertising a charity event in North Weald Village Hall. A copy of the request had been attached to the agenda for Members perusal. The Clerk informed Members that she had received a phone call from a member of the public who was seeking permission to place an A-Board on the garden in front of the parade of shops. The gentleman stated that he may also wish to advertise other events during the year. He had initially spoken to Epping Forest District Council, who referred him to the Parish Council. The Clerk stated that she advised the gentleman that Members may not be amenable to give approval for an A-Board to be placed at this location.

Councillor Buckley informed Members that there were three A-Boards on this site when work commenced on the garden and these had to be removed. He would not want to see any advertising boards placed there. Cllr Mrs Godwin-Brown suggested that rather than advertise the event on an A-Board, would it be possible to place notices on the Parish Council's noticeboards. Cllr Clegg expressed concern that a precedent would be set if permission was given for one A-Board, others would follow and he would not want to see that happen. Cllr Harris suggested that the gentleman could advertise the event in North Weald Village Life magazine.

The Chairman asked Members if they wished to approve the proposal of advertising the event on the Parish Council noticeboards, in place of granting permission to place an A-Board on the garden. Cllr Bedford stated that the notices would need to be no larger than A4 size. All Members **AGREED**.

C16.178 EXCLUSION OF THE PUBLIC AND PRESS

It was **AGREED** that due to the Agenda containing Exempt (pink) pages, or an item needs to be discussed confidentially, the public and press be excluded from the meeting, the Council believing that publicity would be prejudicial to the public interest by reason of the confidential nature of the business about to be discussed.

C16.179 QUEENS ROAD ALLOTMENTS LEASE EPPING FOREST DISTRICT COUNCIL

Members **NOTED** that an updated Lease and associated documentation had been received from EFDC, after the original documentation was sent to Whiskers for comment and perusal.

The documents that had been received were as follows:-

- Draft Lease for approval – paragraph 1 of Part 2 of The Schedule has been Amended.
- Lease Plan – 8500042139 – the pink land is the Demised Premises; part of the yellow land is within the Allotment Land and the brown land is land over which rights of way have been granted and reserved.
- Office copy entries and Filed Plan of the Council’s Freehold Title – EX745487.
- NTL Agreement – according to No 8 of the Charges Register the land coloured blue on the filed plan is not affected by this agreement. It is believed that part of the land coloured blue forms part of the Allotment Land. District Council are waiting to hear from their instructing officer with a plan marked “A” which will show the Allotment Land and the gate both of which are referred to in the draft lease (see clauses 1.16 and 5.1). As soon as this is received it will be forwarded to the Parish Council.
- Highways search result.
- Existing Lease of the substation which is to be surrendered.
- Plan showing where the substation is currently situated.

Members **NOTED** that the Lease was drafted by the solicitors acting for Eastern Power Networks Plc. The red amendments were made by EFDC. The blue and green amendments were also made by EFDC as the PC is being asked to be a party to the lease. It is understood that the draft lease with the various amendments had not as yet been returned to the tenant solicitors.

Members **NOTED** that Gerry Smith at Whiskers had been sent copies of all of the above documents direct by EFDC and that the Parish Council were awaiting his comments. It is understood that the Lease for the Queens Road Allotment Site will be for a term of 99 years and will be at a cost of £1 per annum.

Members **NOTED** the comments contained in an email addressed to the Clerk from

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Gerry Smith at Whiskers, regarding the Lease.

Discussion ensued regarding the possibility of a walkway between the Queens Road Site and Wheelers Farm Gardens. The Chairman referred to his earlier report and stated that it would be included as an item on the next Environmental Committee Agenda.

Meeting closed: 8.50pm

Signed

Date