



**DRAFT MINUTES**

**Meeting:** COUNCIL

**Date:** 2nd March 2015

**Time:** 7.45 PM

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

**PRESENT:**

**Councillors (11)** C Hawkins (Chairman), B Eldridge, B Clegg, G Mulliner, B Bartram, A Buckley, P Collins, T Blanks, D Stallan, Mrs A Grigg, R Spearman

**Also in Attendance (2)**

Susan De Luca, Clerk

Adriana Jones – Principal Finance Officer (PFO)

**Members of the Public (1)**

**Members of the Press (1)**

**C14.157 APOLOGIES FOR ABSENCE (3)**

**NOTED** that apologies for absence had been received from Cllrs Mrs D Adams, N Bedford and Mrs E Godwin-Brown.

**C14.158 OTHER ABSENCES (0)**

No other absences were recorded.

**C14.159 MINUTES**

The Minutes of the Parish Council meeting held on 2nd February 2015 were **AGREED** and signed as a true record. Councillors **NOTED** the minutes of the Parish Hall Thornwood Common Committee Meeting held on 5<sup>th</sup> February 2015 and the Parish Council Environmental Committee held on the 21<sup>st</sup> January 2015.

**C14.160 DECLARATIONS OF INTEREST**

Cllrs Mrs Grigg and Stallan stated they had taken advice from EFDC Monitoring Officer, and both declared a non pecuniary interest in agenda item 9 - Neighbourhood Plan. Cllr Mulliner declared a non pecuniary interest in agenda item 10 by virtue of being a trustee of North Weald Village Hall.

**C14.161 QUESTIONS FROM MEMBERS OF THE PUBLIC**

The Chairman welcomed the members of the public, and invited them to address the Parish Council. Cllr Mrs Sheila Jackman, Vice Chairman of the EALC, reminded members present of the police conference taking place on 25th March 2015, costing £20 which included lunch. Members were asked to contact the Clerk if they wanted to attend.

**C14.162 CLERKS UPDATE AND COMMUNICATIONS REPORT**

The Clerk stated that there was no formal report this month, and that any prevalent issues were included in the agenda. There were two items of correspondence - the RCCE Oyster magazine, and the Village Life.

### C14.163 REPORTS AND MEMBERS REPORTS

- a) **Chairman's Report** – The Chairman reported that it had been a relatively quiet month in terms of meetings outside the Council.
- b) **Vice-Chairman's Report** – The Vice Chairman reported that the issues of no paths in Hastingwood and horses grazing on open land is still prevalent. The Clerk stated that there is new legislation coming soon regarding the tethering of horses on commons, and that she would give further details if requested.
- c) **District Councillors Report** – Cllr Grigg reported that there has been interest in the possibility of a park and ride at North Weald Airfield, however the full report is not due until the end of the month. This is due to be heard in April.

Cllr Stallan stated that he had no report to give. The Clerk asked Cllr Stallan about the Council House building Committee report which detailed the possibility of houses at the rear of Queens Road, and expressed her concern about the possibility of being land locked at Queens Road Allotments. Cllr Stallan stated that at the last EFDC House building Committee meeting it was agreed to progress the Bluemans End site, but that the Queens Road site was deferred until further information was available. This matter is on the 5th March Committee agenda. The further information needed was reference the widening of the access and costs regarding the substation, however Cllr Stallan had no details of the access to Queens Road Allotments. The Clerk expressed her concern as to whether or not EFDC had factored the allotment access in for consideration. The Clerk stated that if you look at the map (accepting this is only a desktop study) in doesn't indicate any access to the allotments. Cllr Stallan stated that he was the Chairman of that Committee, however in the spirit of fairness he would be vacating the Chair, and would simply be a member of that committee for that item. Cllr Stallan confirmed he would bring this issue up at the Committee meeting on Thursday.

- d) **Councillors Reports** - Cllr Blanks confirmed that both himself and the PFO has started to look at the new accounts software, with training taking place on Thursday, and the plan is to go live on 1st April.

Cllr Bartram reported that an official event is being arranged for 25th March 2015 at the Queens Hall to celebrate the installation of the youth shelter, and the dedication of the memorial playing fields as a Queens Elizabeth II Fields in Trust. The event would be at 2pm, and further details would be sent out nearer the time.

Cllr Spearman reported that the official opening of the Parish Hall at Thornwood Car Park took place on 27th February with 47 people in attendance including Cllr Finch from ECC, and Cllr Boyce, Chairman of EFDC. The press were also present. Cllr Spearman asked that thanks were recorded for both Janet and Shirley who were kind enough to organise the refreshments. The Chairman

stated that when this was first discussed, it was expected that a long period of fund raising would ensue, however thanks to the grant received from the ECC Community Initiatives Fund, this has now be completed. The Chairman asked for thanks to be recorded for the Clerk's success in securing this funding.

- e) **Highways** - The PFO informed members of a new website - [www.v6.roadworks.org](http://www.v6.roadworks.org), into which you can enter details of a specific area and timescale, and it will detail all the planned road works and road closures in that area. It was **AGREED** the PFO would send this link out to members.
- f) **Environmental Issues** - Cllr Mulliner reported that there had been a complaint of rats at Hastingwood A Allotments, but that this was being dealt with by the Allotment Sub Committee. It was noted that the next Environmental Committee meeting would be Wednesday 18th March.

#### **C14.164 FINANCIAL REPORTS**

##### **a) List of Cheques & Monthly Statement of Accounts**

Members **APPROVED** the list of cheques, which were signed up to 28th February 2015 and noted the income received and the account balances.

The PFO drew members attention to the addition of the new Unity bank accounts detailed on the cheque list. In addition, she informed members that any payments made by way of the pre paid card were highlighted in red on the cheque list.

The PFO informed members that she had spoken at length with the supplier and trainer for the Financial Software (who also acts in an advisory capacity for NALC), and he had stated that the use of the Parish Hall account was superfluous and not required. Councillors **AGREED** that there was no need to continue using this account.

#### **C14.165 PATHWAY TO WEALD COMMON**

Members **NOTED** that documentation had finally been received from Whiskers Solicitors, a copy of which was attached to the agenda which included a colour map and a copy of the deed easement. These documents are signed by Bob Wood (Chairman at that time), Cllr Cyril Hawkins (Vice Chairman at that time) and the trustees of the village hall. The documents confirmed that the Parish Council has a right over the Village Hall land for the purposes of car parking (the Clerk read out the specific detail). The Clerk had been unable to locate any other documents. The Clerk stated that as she wasn't employed by the Parish Council at that time, she is unable to state what agreement was in place in terms of the path, however she feels the Parish Council would not have laid a path at this location without having permission to do so. Cllr Collins concurred with this statement, stating that there must have been some form of agreement, verbal or written. Cllr Collins asked how this should now be progressed, now that we know there is now hard copy document. The Clerk stated that the pathway has been in situ for 11 years, but that she was unable to make any recommendations to the Council in terms of how to deal with

this issue. Cllr Collins suggested that contact should be made with the Village Hall chairman with a view to coming to an agreement. The Clerk stated this was a good idea, but reminded members that if it was agreed to move the location of the path, a new legal agreement would need to be drawn up (in excess of £1,500). Cllr Collins stated that the other agreement was probably a gentleman's agreement, and asked if there was anything stopping the Parish Council from having another gentleman's agreement but documented detailing the more acceptable route. The Clerk stated that a gentleman's agreement was not an acceptable agreement.

Cllr Mulliner stated that he could not understand why there was a need to have another easement drawn up if the path was moved, as the current easement allows the Parish Council access over the land. Cllr Stallan stated that if you want to alter or amend a current legal document (i.e. the easement) then a new or amended legal agreement would need to be in place. It was noted that there is a bridleway which goes over the Village Hall land (indicated by the dotted line on the map attached to the agenda). After discussion, it was **AGREED** that a sub-committee or working group should be set up with the Village Hall to discuss this issue and report back to the next meeting. It was suggested that three representatives from each organisation should sit on the committee. Cllr Grigg suggested that when this is put to the Village hall Committee, they may want a different number of representatives. **PROPOSED** Cllr Grigg, **SECONDED** Brian Eldridge.

#### **C14.166 STREET LIGHTS - REPORT ON LED LIGHTS**

Councillors **NOTED** that following the last meeting, the councils street lighting contractor has removed the two urgent street lighting columns that had been detailed on the list as being 'at risk', and had also fixed the damage to the street light in Woodside.

As requested, a further more detailed report was attached to the agenda which went into further detail regarding LED Lighting, identifying the advantages and disadvantages. Cllr Mulliner asked if the Parish Council are obliged to put the street lights back, to which the Clerk stated that the Parish Council are effectively a street lighting authority for the most of the side roads in the Parish.

After reading through the report, and discussing the options, Councillors **AGREED** to move forward with replacing the two defective columns with the Stainton columns as suggested by the contractor, but to request that LED street lighting is considered as part of any new larger scale development in the area.

#### **C14.167 TREES ON COUNCIL OWNED LAND - RISK ASSESSMENT**

Councillors **NOTED** that following the last meeting the Principal Financial & Administrative Officer has contacted the Tree Officer at Epping Forest District Council to ask if he would attend a Parish Council Meeting to give his experience of Tree Risk Assessments, however no response had been received at this time. The Clerk explained that after obtaining further guidance, and taking into account the H&S guidance on risk assessments for trees, the PFA was in process of creating a spreadsheet to categorise the risk element to all trees on Parish Council owned land,

and that the Councils Grounds Maintenance Contractor was able to complete a visual check on these trees. He would then be required to record his findings, and to report any concerns he had to the Parish Council, who would in turn request a more thorough inspection of the trees question took place. Cllr Collins suggested that as per the last meeting, perhaps the Preservation Society should be asked if they would like to help.

#### **C14.168 REPORTING OF PARISH COUNCIL ACTIVITIES BY THE PRESS**

Cllr Collins had requested this item is brought to the attention of members. Cllr Collins had expressed his concern at the lack of coverage by certain newspapers on local issues despite the Parish Council and District Council reporting such items to the press, this includes the advertising of Planning Applications. The Principal Financial & Administrative Officer recently reported the damage which was occasioned to the Weald Common Play Area to the press, however not all papers chose to report this. A considerable amount of correspondence has been undertaken, copies of which were attached to the agenda. Upon investigation it is clear that it is up to individual Editors of each Newspaper to chose what they wish to report and they clearly do not have to report anything if they do not wish to do so. All the local papers are advised of local news and local planning matters and if the Editor chooses not to publish these then there is little that we can do.

Cllr Collins stated that his criticism was not about the Clerk or office staff, but concern that despite North Weald being a very viable parish in Essex, it does not get the press coverage it deserves and needs. This had come about after the vandalism at Weald Common play area was reported in the Harlow Star, and not in the local news papers. When looking at the heading of the Guardian paper, there is no mention of North Weald. This led him to consider whether or not certain items have a legal requirement for publishing. In addition, having looked at Eric Pickles MP website earlier in the day, Cllr Collins noted that North Weald is not mentioned here either. Cllr Collins stated that he feels the Parish is not being recognised. Cllr Blanks suggested that perhaps Eric Pickles should be contacted and reminded of who and where North Weald is. Cllr Stallan stated that the names of the constituencies are determined by the Boundary Commission and not the members of parliament, however it was originally requested that North Weald was included in the name.

The Chairman invited David Jackman of Everything Epping Forest to address the Council. David gave a summary as to how local press operates, stating that times are changing with a reduction in the numbers of papers being sold. David summarised how Everything Epping Forest works, and that he works with Epping Town Council, Ongar Town Council and Buckhurst Hill Parish Council and offers a bespoke press service for each of them. David summarised that he would be able to offer a press package for North Weald Bassett Parish Council, which would include a dedicated email address and the council could create their own circulation list. The cost of this service would be £900 per annum.

The Chairman thanked David for his summary, and for detailing the package he could offer the Council. As this was an agenda item, the Chairman stated that

Councillors were able to make a decision on engaging Everything Epping Forest for the next year. Cllr Stallan stated that he was not against what was being suggested, in fact he thought it was a good idea, however felt that it should be a separate agenda item at the next meeting, with details of what's been said tonight. The Clerk asked Cllr Stallan what further information he felt was needed. Cllr Stallan stated that an expansion on what David had stated at this meeting, so that a more formal discussion can take place. Cllr Grigg stated that she thought what was suggested by David was a good idea, however agreed that it should be discussed under a separate agenda item to know the council would be getting for their money, and to establish if its affordable. Cllr Blanks **PROPOSED** that Everything Epping Forest be engaged to conduct a bespoke press package for this Parish Council for the next year at a cost of £900. This was **SECONDED** by Cllr Bartram. A vote was taken as follows:

7 - For

3 - Against (Cllr Grigg stating against this being decided, as there is no recommendation on the agenda)

#### **C14.169 ANNUAL PARISH ASSEMBLY**

Councillors were reminded that this year's Annual Parish Assembly would be held at the Parish Hall in Thornwood Common on Monday 23<sup>rd</sup> March 2015 at 7.00pm.

#### **C14.170 ANNUAL ALLOTMENT COMMITTEE MEETING**

Councillors were reminded that this year's Annual Allotment Committee meeting would be held at the Parish Hall in Thornwood Common on Sunday 22<sup>nd</sup> March 2015 at 10am.

#### **C14.171 PARISH COUNCIL CITIZEN OF THE YEAR**

Members **NOTED** the following nominations:

- Stephon Brown - Road Sweeping Operative
- Chester Stuart - Postman
- Margaret Mulliner - Resident
- Elaine Davis - Resident
- Preservation Society
- Knit Lit group

It was **AGREED** that Cllr Clegg, Cllr Mrs Godwin-Brown and Cllr Eldridge would meet over the coming 2 weeks to agree the winners.

#### **C14.172 LOCAL COUNCIL AWARD SCHEME**

Following the disbandment of the National Association of Local Councils Quality Council Scheme, Members were asked to note the new logo as detailed on the Parish Councils headed paper and documentation which is being brought in over the next few weeks. This logo has just recently been received from NALC.

The Local Council Award Scheme exists to celebrate the successes of the very best local councils, and to provide a framework to support all local councils to meet their full potential. This new scheme, officially launched on 6 January 2015, replaces the

Quality Council award scheme, which operated from 2004. There are now three levels; Foundation, Quality and Quality Gold. This Council will automatically benefit from achieving Foundation level, this is due to the fact that we had achieved Quality Status under the 'old regime'. It is aimed to achieve Quality Gold which by January 2016, which would mean this standard would be kept for a further 4 years. To achieve Quality Gold a Council needs to demonstrate it is at the forefront of best practice by achieving an excellent standards in community governance, community leadership and performance management. The Council's website will need to provide access to a wealth of information on the Council's work. Working under a policy of transparency and openness, with documents showing how it manages the business and finances of the council and detailing its role in both serving and leading the local Community. Accreditation is through a form of peer review. The Essex judging panel includes representatives from the Essex Association of Local Councils, Essex County Council, the Rural Community Council for Essex and the Society of Local Council Clerks. Detailed information on the scheme may be found at: [www.nalc.gov.uk](http://www.nalc.gov.uk). Councillors **AGREED** that this should be progressed.

#### **C14.173 EPPING FOREST DISTRICT COUNCIL ARRANGEMENTS FOR PARLIAMENTARY AND LOCAL ELECTIONS**

Members **NOTED** that elections would be take place this year on Thursday 7<sup>th</sup> May. A letter has been received from Glen Chipp the Returning Officer, which was attached to the agenda. Members noted that for those current Members who wish to stand for Election to the Parish Council, that elections packs will be available for collection from the Parish Office from the 9<sup>th</sup> March.

#### **C14.174 QUEENS HAALL CHARITY**

Members **NOTED** that following a meeting to set the fees for the financial year 2015-2016, the following Parish Council appointed representatives had tendered their resignation from the charity:

- Cllr Blanks
- Cllr Buckley
- Cllr Mrs S Jackman
- Cllr Hawkins
- Susan De Luca

The Parish Council can appoint up to 8 trustees onto the Charity, leaving only Cllr Mrs Godwin-Brown, Cllr Bartram and Cllr Bedford as appointed trustees.

The Clerk informed members that all the resignations were for the same reason, in that there are serious concerns in terms of the financial state of the charity, and how it is run. Cllr Blanks stated that from the first meeting he attended, it seems that funds have been dwindling, and there has even been the problem of direct debits being returned unpaid due to insufficient funds. There have been a number of problems with the hall, and there isn't enough money to pay to get them resolved. The Queens Hall Charity constitution states that the only way the hall's income can be increased is by increasing the hire rates. Cllr Blanks continued, stating that he had therefore completed a simply calculation based on the expenditure for the hall,

against the number of hours its hired out, meaning there needed to be a £9/per hour fee in order for the hall to break even. This increase was proposed at the meeting, however there were not sufficient votes received to carry this proposal. As such, Cllr Blanks stated that he had no option but to resign as the charity will not be able to exist for much longer.

The Clerk stated that the Charity has approximately £900 of available funds. The Clerk had met with Jackie Foile, of Epping Forest Voluntary Action, and she had been advised that the Charity should draw up a business continuity plan, which the Clerk (who was an independent Trustee) had compiled and had given to all trustees. This document clearly stated what would happen if the rates weren't increased, however this was simply ignored. The Clerk stated she was happy to provide copies of the resignation letters if members wanted to see them, together with a copy of the business continuity plan. Cllr Mulliner asked if perhaps the Parish Council Trustees should contact the Charity commission to express their concern, together with copies of the letters. The Clerk stated this was an option.

Cllr Stallan stated that a similar issue had occurred with the Thornwood Village Hall (now the Parish Hall at Thornwood Common), in that you raise the rates to get yourself out of a problem but end up creating another one as people stop hiring the hall. Cllr Stallan asked if the field users are members of the Committee, as an increase in the rates for field use could be an option. Cllr Stallan agreed that the Charity Commission should be informed, and given the reasons for the resignations.

Cllr Blanks stated that the Trustees have responsibility regarding their own credit status if the finances of the hall were found to be run incorrectly. Cllr Stallan asked if insurance was in place to cover this, to which Cllr Blanks stated that if you ignore the advice being given to you, it invalidates the insurance. The Clerk stated that Jackie Foile had confirmed that if the Charity knows there is works to be completed, and it instructs a contractor to complete that repair knowing there are insufficient funds in the bank to cover the cost, this is fraud (fiduciary fraud). As fiduciary fraud, the trustees are personally liable for that money, and the insurance will not cover them.

Cllr Grigg stated that she found it very disappointing and that she had hoped that when the Parish Council appointed trustees went on this committee, they would ensure it was run appropriately and correct. Cllr Grigg confirmed she resigned many years ago, and one of the problems is that the constitution includes club users as its committee members, meaning there will always be a conflict of interest. For years the charity survived on grants by the Parish Council, and ever since the Parish Council moved to the library, there have been difficulties. Cllr Grigg agreed that the Parish Council should write to the Charity Commission expressing its concern.

The Clerk confirmed that the Trustees appointed by the Parish Council had done all they could and those who had resigned could have done no more.

Cllr Collins reminded members that the Parish Council is still paying for the extension on the hall, and that he recalls sitting through a meeting recently where it was mentioned that the Committee were budgeting less than their costs.

Cllr Stallan expressed his concern that if the Charity fails, the hall may come back to the Parish Council to run and manage. Cllr Stallan stated the EFDC run a risk register, and although he feels the Parish Council do not need to go down this route, he does feel that as a Parish Council a full and frank discussion needs to take place so that it is prepared for such an eventuality and can plan appropriately.

It was **AGREED** that the Clerk would contact the Charity Commission on behalf of the Parish Council expressing its concerns about the Charity. Cllr Stallan asked that this be put as an item on the next agenda (agreed May agenda) to look at what the options are if the Charity fails, and what the Parish Council will need to do if the halls comes back into its management. Cllr Stallan stated that if needed, an extraordinary meeting would need to be called.

#### **C14.175 NEIGHBOURHOOD PLAN**

Councillors **NOTED** the extract from the 9th March EFDC Cabinet agenda, which detailed the proposal to reduce the Neighbourhood Area Designation, thus excluding part of the Hastingwood Ward. The Chairman read out an email detailing that a meeting could be held on 6th March, during which members of the Parish Council could meet with members of EFDC to discuss the matter. Cllr Whitbread would be in attendance and would bring an officer with him. Cllr Stallan and Cllr Mrs Grigg stated they would be unable to attend on that day, and expressed concern that most of the other District Councillor would also be unable to attend. The Chairman stated that he felt as many District Councillors should be present as possible.

Cllr Blanks stated that one of his concerns is that he was only made aware of the Cabinet agenda last Friday, and as such the Parish Council has only 5 days to consider it. This is not courteous, nor is it localism. The PFO stated that she had been made aware that the item was likely to be on the agenda on the 9th March meeting, but had not been informed of any report. The Chairman asked how this report could have been created without the District Councillors knowing about it. Cllr Grigg stated that there is a process that needs to be followed with draft agendas, in that during this process she had requested a change to the map as it was very difficult to read.

The Clerk stated that there is a lot of concern regarding this area exclusion, and that ultimately this could possibly mean a boundary change. Cllr Grigg stated that it was important that she keeps her mind open, and is listening to what councillors have to say in order than she can go back to EFDC and be able to speak on the subject. In order to do this, it is important she keeps an open mind on the subject. Cllr Blanks asked if there was any point in asking Cllr Grigg any questions on this subject, to which Cllr Grigg said by all means ask, however she was bound by the need to keep an open mind. Cllr Grigg stated that in the past she has seen what happened to Church Langley, and that the exclusion of part of the Hastingwood Ward would

mean around 60 houses are excluded from the Neighbourhood Plan area. The M11 seems to be decided due it being a defensible boundary.

Cllr Blanks asked Cllr Grigg if she was the Portfolio holder for Planning, to which Cllr Stated she as not, and that it was Cllr Bassett, however there are split responsibilities but Cllr Bassett deals with the Local Plan. Cllr Blanks stated that the Parish Council has submitted a Neighbourhood Area Designation to EFDC, and it is the Director of Neighbourhoods and the Portfolio Holder for Planning who have the responsibility for deciding this area designation. Therefore, one can only assume that Derek Macnab and Cllr Bassett don't think the whole of the Parish area is a good idea. Cllr Grigg stated that EFDC see this area as including strategic sites, and that is why it has been excluded, and referred to the 'red blobs' in the Issues and Options consultation document. Cllr Blanks stated that there aren't any blobs in the North Weald maps in this document at these sites. Cllr Grigg stated that they are identified under the Harlow Options. Cllr Blanks said he thought this was very interesting, in that neither or these sites were identified under North Weald Bassett, despite being in that Parish. The PFO stated that a Neighbourhood Plan can include strategic sites. Cllr Blanks stated that as far as he could see, strategic sites hadn't been excluded from any other Area Designations that had been designated. Cllr Grigg stated that he will not be taking a position on this, as she wants to keep her mind open. Cllr Stallan stated that both he and Cllr Grigg had taken advice from the monitoring officer, and in order for them to be able to vote, they must keep an open mind. Cllr Blanks understood this, however stated that they were able to express an opinion, stating that his concern was that North Weald are being treated differently to other Parishes such as Chigwell and Buckhurst Hill. Cllr Grigg stated that Harlow Council has indicated that it want to expand, however the London boroughs haven't stated that they do.

Cllr Stallan stated that it was his understanding that Harlow Council has resolved that it will not be seeking a boundary change. Cllr Blanks stated that if this is the case, North Weald Bassett could end up with 2500 houses in Latton Priory, 1100-1600 on the Airfield, which would more than double the number of houses in the Parish. Cllr Stallan stated that it was his and Cllr Griggs understanding that the policy of EFDC is that every part of the District will be taking its fair share of any housing allocation. Cllr Blanks stated that it can't, to which Cllr Stallan stated that he would be holding the Leader of the Council to this.

Cllr Mulliner said he understands that the District Councillors have to keep an open mind, however asked if the Parish Council could instruct the District Councillors to express the opinion of the Parish Council. Cllr Stallan stated this was not how things worked.

Cllr Collins commented that the duty to co-operate seems to come up quite frequently, and his interpretation is that the Parish Council is not unable to see this through due to various legalities and cost implications, both of which the District Council is able to fulfil.

**MINUTES**

The Clerk stated that the issue is time, in that the Parish Council were not informed of this report any earlier than members of the public. Cllr Stallan stated that it would be wrong for the Parish Council to receive special treatment and see any reports earlier than others. The Clerk stated that she had tried to address why EFDC were treating North Weald differently, by asking Ken Bean, Planning Policy Manager, if he had visited any other Parish Councils requesting an area designation, to which he stated that he hadn't. It was **AGREED** that a meeting would take place Thursday 6th March 7.15 in the Parish Hall at Thornwood Common.

Meeting closed

Signed .....

Date .....