

ELMSTEAD PARISH COUNCIL

Minutes of the Meeting held in the Community Centre, School Road, Elmstead Thursday 18th July, 2013

Present:

Councillors: Cllr. Bell, Cllr. Beecham, Cllr. Sly, Cllr. Redding, Cllr. Lloyd, Cllr. Gray, Cllr. Brock, Cllr. Fairweather

Clerk: Mrs. A Baxter

Public: Mr. and Mrs. Cobbold, Mrs. J Grotier, Mr. B Jennings

Meeting chaired by Cllr. Bell

Meeting Commenced at 7.30pm

1. Chairman's welcome

2. Apologies for Absence

District Councillor Rosemary Heaney, District Councillor Fred Nicholls

3. Declaration of interests in items on the agenda. We are seeking advice from TDC on pecuniary and non pecuniary interests.

Cllr. Gray item 11, Cllr. Beecham items 14 & 15.

4. Co-option of Mrs. Grotier

Elmstead Parish Council took a vote to co-opt Mrs. J Grotier as a Parish Councillor

Vote carried (7 for and 1 abstention)

Cllr. Bell welcomed Mrs. Grotier in joining the Council.

5. Police Report

PCSO not present.

Cllr. Bell reported that he and Cllr. Beecham had attended the Police and Crime Commissioner Meeting on 4th July, to report the Council and the village's concerns at losing Les Barnes as our PCSO. Cllr. Bell raised the point that the village need to make an effort to ensure we call the police about any incidents or suspicions and that we need to monitor the situation and pursue the point if we believe our PCSO cover is not adequate.

Action: Cllr. Bell will write an article about this for the September issue of Upmarket.

6. Comments from District Councillors

District Councillors not present

7. Matters raised by Members of the Public

There is a caravan parked on Hatchcroft Way, but the deeds for the properties on that road contain a covenant that caravans are not allowed on any frontisward. In addition the caravan being parked on the driveway is causing the cars that are also parked at the property to be parked on and across the pavement. Mr. Cobbold spoke to the caravan owner, who is a tenant at the property and was not aware of the restriction in the deeds. He did say that he would arrange for it to be moved elsewhere but it's still there. Mrs. Cobbold said that in the past the Parish Council had written to people parking caravans on Hatchcroft Gardens to let them know of the restrictions.

Action: Clerk to locate previous letters and check the content. Send a letter to the caravan owner and speak to TDC about the issue.

A member of public asked why there were still people residing at the travellers' site on Clacton Road, and why the planning application for a permanent site was refused.

Cllr Bell: Doesn't know why they get an extra 6 months to remain. The application was refused as there are enough travellers' sites in Tendring to meet their quota.

Action: Write to TDC to ask why the travellers are still on the site.

8. To approve the Minutes of the Meeting from Thursday 20th June 2013.

It was proposed that the Minutes of the Parish Meeting of Thursday 20th June 2013 be agreed and accepted as a correct record with the following revisions:

Item 3: Cllr Redding stated that if the Parish Council were to make a contribution to the repair of the South Green tracks then all of the frontagers would effectively accrue an indirect financial gain as their contributions to the overall cost of the works would be reduced.

Proposed Cllr. Lloyd Seconded Cllr. Sly Carried

9. Clerk's Report

On matters from the last meeting. Any business requiring a decision is listed on this agenda.

Held over as not completed.

10. Financial

10.1 Finance Report prepared by Clerk

It was proposed that the Finance Report (copy distributed to the Council and attached to the Minutes) be agreed.

Proposed Cllr. Beecham Seconded Cllr. Redding Carried

Cllr. Bell: Rope has been purchased for the flagpole but not put in. Mr. Cobbold kindly agreed to assist with sewing in the new rope.

10.2 Due to Mrs Mason's resignation Council needs to appoint an additional bank signatory. Council is required to authorise this in a meeting. The Finance Committee would like to recommend that Cllr. Redding be agreed as a signatory as Chair of the Finance Committee.

It was proposed that Cllr. Redding be added as a signatory for the EPC bank account.

Proposed Cllr. Beecham Seconded Cllr. Gray Carried

11. EMCHAT

Cllr. Gray: The first car boot sale was very quiet, possibly because it was father's day. The second was better attended. If they do any in future they would arrange for a Saturday. Saturday 19th October there will be a quiz night in the Community Centre. Teams of 6 people, £4/person. It will be BYO and starts at 7pm.

12. Planning

12.1 New Planning Applications Received

13/00618/FUL The Spice, Clacton Road. Proposed single storey side extension to restaurant building. No adverse comments received. Deadline for comments now passed.

Cllr. Redding: Advised a neighbour who had questions that he could comment on-line regarding planning applications.

13/00767/FUL Elmhurst, School Road, Elmstead. Detached double garage with dual pitch roof and adjoining 2m high garden wall with gates each side of garage.

Cllr. Bell: This work has started already. Cllr. Beecham: The footings and the framework are in.

12.2 Decisions in the Month

13/00536/TPO Thistledoo, Church Road. 2 No. Oak trees in rear garden – reduce by 30%. Full Approval

13. Village Plan working party update

Report from Village Plan working party.

Cllr. Beecham: We are waiting for Sue Shepherd to get back to us with the other groups of RCCE it would be helpful for us to join. We've had no response from the village residents to join the village plan steering group. Cllr. Redding will follow up with the gentleman who expressed an interest at the Annual Parish Meeting.

Action: Write an article for Upmarket to generate interest for the village plan steering group.

14. South Green

Cllr. Beecham (secretary of the South Green Residents Association).

Cllr. Bell's comments:

This item is causing a lot of contentiousness between Council members. We spend a lot of time going around the same circuit of information without any results. I believe we need to try and simplify the whole subject and vote on each separate section. We need to establish the true facts and remember that we did vote in April to support the South Green Residents Association in their attempt to resolve the problems of the tracks. Namely:-

1) Health and safety reasons for pedestrians and car owners.

2) Whether to assist financially (without prejudice) the filling and levelling of the track as a once only commitment to the Residents Association which includes businesses and dwellings.

3) Should bollards be erected at the far end to stop through traffic? (No objections from Mr. Gooch)

4) The Residents Association will be responsible for the upkeep and maintenance.

Cllr. Bell: The Council have received a letter from Mr. Gooch saying that he will not contribute to the track repairs.

Cllr. Sly: Referred to the advice from Joy Derby EALC saying we should contact the officers at Essex Highways. The Council have no moral or legal responsibility to contribute.

Cllr. Beecham: If it goes to Essex Highways and they do the work there will be a massive bill for the frontagers to pay.

Cllr. Gray: Essex Highways can't just go onto private land and make it up.

Cllr. Fairweather: A report was done 5 years ago; he spoke to a woman in the legal department at ECC. The result was that ECC were not responsible for the track and wouldn't pay.

Cllr. Bell: We have records of that comment.

Cllr. Sly: Would like to see that statement in writing, we should not ignore EALC advice.

Cllr. Beecham: Now believes that the track doesn't come under the scope of the Highways Act as it's a track, not a road, therefore it isn't the frontagers' responsibility. However they are happy as residents who use the track to contribute, but the village use it too and ask that the Council contribute on a periodical basis.

Form VG14 states that the track is for pedestrian use only.

Action: Find and share a copy of Form VG 14.

Cllr. Fairweather: His deeds just say that he has a right of way across the tracks. Mr. Gooch charges for the right for builders to put utilities across the tracks.

An estimate of the costings: £4,590 in total, £2,300 to come from the frontagers and the rest from other contributions.

Cllr. Redding: Has done some research. The landowner is not under any obligation to maintain an unadopted track. Those who get the benefit should pay.

Cllr. Bell: Referred Council back to his agenda comments (1-4 above).

1) All agreed.

2) Not agreed.

3) All agreed

4) Cllr. Redding: That's the legal situation.

It was proposed that the Parish Council put forward £1,500 to the Residents Association for the use of putting a surface on the tracks.

Proposed Cllr. Bell No seconder No vote

It was proposed that we are prepared in principle to make a contribution subject to legal clearance, receiving paperwork from the Residents Association regarding their constitution and objectives and that the majority of the contributions come from the Residents Association.

Proposed Cllr. Lloyd Seconded Cllr. Gray Vote carried (Cllr. Sly voted against)

Action: The Residents Association to provide the Council their constitution document and to research public liability insurance.

15. Community Centre

An update on the repairs required and the possible application for a grant to fund those repairs.

Cllr. Beecham: Has received a quote for the roof repairs, fascia, front porch refitted and painting for £4,670. There's another quote for £5,900. He is in the process of completing the grant application form. The deadline is in August.

16. Allotments

Carried over to the next meeting.

17. Matters Raised by Councillors for the next agenda or for information only

Cllr. Redding: The Communications Committee needs to hold a meeting. The next quarterly newsletter is due August. Think about items for the newsletter and contact Cllr. Redding or the clerk. The Finance Committee will have an item on the next agenda about the 2013/14 budget. Cllr. Redding and Cllr. Gray need to get together to progress the Risk Assessment. Possibly would like to add the co-option process to the next agenda. As a representative body when we make decisions there should be a time scale and we need to measure ourselves. We need a report to ensure that decisions are followed up and done so we can demonstrate accountability.

Cllr. Sly: Allotments for the next agenda.

Cllr. Beecham: What is happening with the posts for the North Green?

There being no further business Councillors were thanked for their attendance.

Meeting closed at 9.35pm

Date of next Parish Meeting: Thursday 19th September, 2013

To be held in the Community Centre, School Road CO7 7ET

Minuted by Mrs. A Baxter

18th July, 2013

Contact: elmsteadparish@btconnect.com

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Appendix to the original Minutes:

Finance Report prepared by the Clerk.

All other relevant correspondence has been circulated prior to the meeting and available upon request.

