

**Minutes 20<sup>th</sup> October 2016**  
**Elmstead Parish Council Meeting**  
**Community Centre, School Road, Elmstead Market, CO7 7ET**

Present: Councillors N Bell (Chairman), P Beard, S Beecham, R Fairweather, M Kirby, J Routledge and M Ward

District Councillor F Nicholls

Also Present: Mrs Baxter (Clerk) and 8 members of the public

- 16/183 Apologies for Absence**  
Cllr Redding was unable to make the meeting due to work commitments. District Cllr Heaney was also unable to attend.
- 16/184 Declaration of Pecuniary Interests and Non Pecuniary Interests**  
None
- 16/185 Approval and signing of the minutes from 15<sup>th</sup> September 2016**  
It was resolved to accept the minutes from 15<sup>th</sup> September 2016 as true and accurate.  
Proposed: Cllr Fairweather, seconded Cllr Ward, all in favour
- 16/186 To receive an update about the progress of resolutions from the last meetings of the Council on 15<sup>th</sup> September 2016.**  
The clerk is to send a report next week.
- 16/187 Public Speaking**  
Residents explained that they were concerned the changes to the use of council recycling centres (not allowing vans and trucks to access some of the recycling sites) will result in increased fly tipping in Elmstead and other affected locations. They have written to Essex County Council and Bernard Jenkin MP but have only received a reiteration of the new rules back from ECC. They asked the PC to support them in wanting to keep the village tidy.  
The clerk is to e-mail County Councillor Carlo Guglielmi with our residents' concerns.
- 16/188 County Councillor report**  
Cllr Nicholls: The next full TDC meeting is in November, Cllr Nicholls will put forward a motion demanding that he police take action regarding the issue of speeding vehicles around the rural areas of Tendring.  
There was a general discussion about speeding and parking issues around the village, particularly near the Primary School, around Oatlands and Harvest Way (with some drivers ignoring the white lines on the roads) and Chapel Lane/Old School Lane/Bromley Road.
- 16/189 District Councillor reports.**  
None received.
- 16/190 Planning - to hear an outline of a small development plan by Forres, Clacton Road.**  
Cllrs were shown a development site plan - the application will be for up to 9 houses to the side and behind Forres (between Beth Chatto and Lawnswood). Councillors mentioned to the owner that the development is outside the development boundary of the village, outside the 30mph speed limit and that in general it is felt that there is an unsustainable amount of development in the village.
- 16/191 Planning (for discussion and to decide comments to return to TDC planning)**  
*16/01322/OUT Land South of Bromley Road Elmstead. Residential development for the construction of 10 dwellings*  
It was resolved to object to the application, proposed Cllr Beard all in favour.

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*16/01436/FUL Allens Farm Tye Road Elmstead. To develop a small scale standby electricity generation plant in a new portal framed building and installation of ancillary equipment.*

*16/01443/FUL Allens Farm Tye Road Elmstead. To develop a small scale standby electricity generation plant in a new portal framed building and installation of ancillary equipment.*

It was resolved to return a neutral response to the above two applications but comment that the PC are concerned about the increase in traffic along Tye Road. Proposed Cllr Beard, all in favour.

Cllr Beard suggested that we invite a representative from Allen's Farm to speak to the PC about their plans.

**16/192 Planning (for information only)**

**Applications:**

*16/01449/FUL Matapos Colchester Road Elmstead. Proposed dwelling. EPC objected.*

*16/01551/TPO Elmstead Cricket Club Church Road Elmstead. 2 No. Oak - cut back garden side to 2-3 ft inside 14 Holly Way's fence to eliminate overhang. No comment made.*

**Determinations:**

*16/00892/FUL Winton Colchester Road Elmstead. Proposed additional dropped kerb for vehicular access. Approval – Full*

*16/01339/TPO The Oaks Old School Lane Elmstead. 1 No. Oak - dead or dying – fell. Approval – Full*

*16/01293/LBC Elmstead Lodge Farm Bromley Road Elmstead. Wall repairs and replacement windows. Approval - Listed Building Consent*

*16/01281/TPO 53 Church Road Elmstead. 1 No. Large Sycamore - significant reduction. Approval - Full*

**16/193 Tendring District Local Plan – East Colchester/West Tendring fringe garden community**

*An update on the ongoing consultation with local councils to work together to tackle their issues with the local plan.*

Regarding the actions agreed by the group of councils, Gary Guiver and Simon Meecham have been invited to attend the next group meeting but they have instead put forward a workshop that TDC will be running and that the PC will be invited to attend. They have not answered the repeated request to attend a meeting.

A brief statement has been sent to the press regarding the group.

Bill Marshall updated the council to say that he has submitted his own proposal regarding the fringe development and has had a meeting with Gary Guiver. He is sending the proposal to all interested parties.

Bob Russell's opposition to the development was raised, his concern is for Salary Brook.

**16/194 Finance**

- i) *To look through the finance report and approve the payments for October. See appendix 1.*

It was resolved to accept the finance report and approve the payments for October. Proposed: Cllr Routledge, Seconded: Cllr Ward, all in favour

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- ii) *To hear a summary of the Finance Committee meeting held 13<sup>th</sup> October 2016. (Minutes to be circulated) To agree resolutions of those minutes.*

The expenditure for the first 6 months is within the expected amount (less than 50%) and there are no issues to raise.

Cllr Bell has been looking into the question raised in the Finance Committee meeting of a boundary for Dene Park but the cost to put a fence around the area would be exorbitant. We are to research into what would happen should there be an incursion on the land.

**16/195 Market Field**

*An update – any further actions whilst waiting to hear back from ECC? Cllr Ward has suggested that we seek a quote from the Royal Institute of Chartered Surveyors to negotiate the lease extension/renewal on our behalf. When should we seek legal advice?*

It was resolved for Cllr Beard to call Martin Fine (EALC solicitor who previously gave us advice) to follow up on rights of renewal. Also to follow up on the price and services provided by surveyors for lease renewals. Proposed Cllr Beard, all agreed.

**16/196 2017/18 Local Government Finance Settlement Consultation – Deadline 28<sup>th</sup> October**

*See appendix 2*

*At the Annual General Meeting of the Essex Association of Local Councils held in Great Dunmow on 22 September 2016, the meeting unanimously voted against the principle of capping the precept of parish and town councils with the following resolution:*

*This meeting is resolutely opposed to proposals by the government to extend council tax referendum principles to some or all local councils; and calls upon all local councils in Essex to respond to the government consultation stating their opposition to the proposals.*

*The PC is asked if it wishes to support this view and prepare a response to the consultation and in particular questions 4-7 posed in the document.*

It was agreed for Cllr Routledge to review the consultation and circulate the summary to cllrs.

**16/197 Correspondence**

*Recycling centre changes: A resident has e-mailed to ask for the council's view on the new restrictions on certain types of vehicles using the smaller recycling centres and how it is likely to impact on our village with the possibility of extra fly tipping a problem we already suffer from?*

Discussed under 16/187

**16/198 PC Streetlights – changeover to LED**

*Current status and next steps.*

It was discussed that we write a letter to the residents in the streets which will be affected to let them know about the changeover and see what feedback we get. It was suggested that we do this February/March time

**16/199 Communications** *Items of interest for inclusion in our December Upmarket report.*

To be sent to the clerk.

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**16/200 Items for next agenda or for information only**

Cllr Routledge – an update from the upcoming Bluegates donation meeting  
Cllr Beard – an update on the Charity Field appeal – Cllr Bell will call Mr Gittins. The vacancies on the PC.  
Cllr Ward – attended a NHW meeting and met a lady training young people to volunteer. We could consider for the young people in our community.

**There being no further public business councillors were thanked for their attendance.**

**The meeting closed at 9.23pm.**

**Date of next Parish Meeting: Thursday 17<sup>th</sup> November 2016**  
**To be held in the Community Centre, School Road, Elmstead**

**Minuted by Mrs. A Baxter**  
**20<sup>th</sup> October 2016**  
**Contact: [elmsteadparish@gmail.com](mailto:elmsteadparish@gmail.com)**  
**01206 827139**

Signature .....

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**Appendix 1 Finance Report**

**Elmstead Parish Council Finance Report**

*Closing Balances to 30<sup>th</sup> September 2016 are:*

|  |                   |
|--|-------------------|
| Current Account to Bank Statement Ref 804                        | £20,995.32        |
| Total uncashed cheques   | £1,900.60         |
| Total of cheques below (October payments - request for approval) | £981.41           |
| Balance in current account after cheques                         | £18,155.31        |
| Deposit Account to Bank Statement Ref 147                        | £27,711.2         |
| Active Saver Account (Bluegates Donation)                        | £10,020.61        |
| <b>Estimated Overall Closing Balance - Current and Deposit</b>   | <b>£55,845.12</b> |

*Income Details for September 2016:*

|  |              |
|--|--------------|
| Interest Business Premium Account      | £3.45        |
|  |              |
|  |              |
| <b>Total income for September 2016</b> | <b>£3.45</b> |

Approval is requested for the following payments:

|  |                |
|--|----------------|
| Elmstead Community Centre – hall hire September x 2  | £32.00         |
| EALC – Vine HR – Employment Overview – J Routledge & A Baxter  | £150.00        |
| Veolia – Emptying of dog bins for the period 01/01/16 – 31/3/17  | £608.45        |
| Mr A Dingwall – black bags and strimmer parts  | £16.35         |
| Mrs A Baxter – office supplies (Staples), mileage and parking for EALC training (Lone working and performance appraisal) | £132.61        |
| Instant Images – Two boards for noticeboards (Elmstead Parish Council signs)   | £42.00         |
|  |                |
| Total Cheques  | <b>£981.41</b> |

Report prepared by A Baxter – Clerk & RFO  
 17<sup>th</sup> October 2016

Signature .....

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**Appendix 2**  
**The 2017/18 Local Government Finance Settlement -**  
**Technical Consultation Paper (extract)**

3.3 Council tax referendum principles for parish and town councils

3.3.1 Since the introduction of council tax referendums in 2012/13, no referendum principles have been set for local precepting authorities such as town and parish councils ("parishes"), although the Government has made it clear that we would keep this under review and take action if necessary.

3.3.2 We recognise the value of parishes and the greater role in service delivery that many are performing to deliver ambitious services for their residents. However, the increase in the average Band D council tax level of 6.1% set by parishes in 2016/17 is notably higher than those in the previous 5 years, as shown in Table 1 below:

Table 1: Average percentage increase in Band D council tax levels set by parishes

|          | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 |
|----------|---------|---------|---------|---------|---------|---------|
| Parishes | 2.3%    | 3.9%    | 5.2%    | 4.3%    | 3.3%    | 6.1%    |

3.3.3 In light of this, the Government is minded to apply referendum principles to larger, higher-spending town and parish councils in 2017/18. There are around 8,800 precepting parishes in England, which vary widely in terms of resident population and precept charge. We believe there is a strong argument in favour of extending referendums to those larger parishes whose precept is equivalent in size to that of a district council.

3.3.4 We propose that referendum principles are introduced for local precepting authorities (town and parish councils) whose Band D precept is higher than that of the lowest charging district council for 2016/17 (£75.46), and which have a total precept for 2016/17 of at least £500,000 (subject to the next paragraph). These parishes would face the same referendum principles as shire districts: increases of less than 2% or up to and including £5 (whichever is higher) can be set without triggering a referendum. Based on these thresholds, the Government expects this new principle will affect around 120 of England's 8,800 local precepting parishes.

3.3.5 In doing this, the Government wishes to ensure that parishes continue to have the flexibility to take on responsibilities from other tiers of local government without being unduly constrained by council tax referendum principles. It is therefore proposed that parishes will not be in the category to which the referendum principle applies where there has been a transfer of responsibilities, and where three conditions are satisfied:

- i. the parish council and a principal council covering the area of the parish council have each resolved that a particular function carried out by the principal council in relation to the parish council's area in the financial year 2016-17 is to be carried out instead by the parish council in the financial year 2017-18
- ii. the parish council and the principal council have agreed the reasonable cost of the exercise of that particular function in the parish council's area by the parish council in the financial year 2017-18

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iii. that the agreed cost, if collected by way of the parish council precept, would take the parish council over the threshold of a 2% or £5 increase on the previous year.

3.3.6 A large proportion of parishes are modest in size - for example, around 4,000 parishes have precepts of £25 or less. However, the Government is aware that increases in these precepts continue to concern local tax payers and is therefore prepared to consider extending referendums to all parishes.

3.3.7 We recognise that issues of proportionality, practicality and cost could be raised by such a step, and would welcome views on this.

**Question 4:** Do you agree that referendum principles should be extended to larger, higher-spending town and parish councils in 2017/18 as set out in paragraphs 3.3.3 to 3.3.4?

**Question 5:** Do you agree with the proposed approach to take account of the transfer of responsibilities to town and parish councils as outlined in paragraph 3.3.5?

**Question 6:** Do you agree with the suggestion that referendum principles may be extended to all local precepting authorities as set out in paragraph 3.3.6? If so what level of principle should be set?

**Question 7:** Do you have views on the practical implications of a possible extension of referendum principles to all local precepting authorities as set out in paragraph 3.3.7?

Signature .....

Date .....