

COLD NORTON PARISH COUNCIL

MINUTES OF THE MONTHLY MEETING OF THE PARISH COUNCIL HELD ON WEDNESDAY 2ND MARCH 2011 IN THE NORTON ROOM OF THE VILLAGE HALL

THOSE PRESENT:

Councillors:

Mr. J. Archer
Prof. L. Barclay
Mrs. G. Gold (Vice Chairman)
Mrs. S. Garnham
Mr. C. Litscher
Mrs. A. McDonald
Mr. P Wakeling (Chairman)

In attendance: Mrs. M. Dyer (Parish Clerk)
District Councillor J. Sears
PCSO T. Gower
Plus 6 Members of the Public

452. **APOLOGIES FOR ABSENCE:** there were no apologies

453. **MINUTES OF THE ORDINARY MEETING of the Parish Council** held on Wednesday 2nd February 2011 were approved as correct and signed accordingly.

FINANCE

Approval of Payments

454. Dave Bull general village caretaker work Invoice No.12 dated 25.02.11 £72.50. Cheque No.958
455. MAIA Services to updating web pages 1 PC report and 1 set of minutes Invoice No.11005 dated 28.02.11 £30 (£25 net) Cheque No.959.
456. Timberline replacement panel for slide plus fitting Invoice No.14455 dated 03.02.11 £300 (net £250) Deposit of £73.44 already paid December 2010. Cheque No.929, so balance now due £226.56 (net £176.56 NB VAT was lower when deposit was calculated, but as this is the final payment VAT of 20% now applies) Cheque No.960.
457. BT Village Hall Pay Phone Invoice No.QO42U4 dated 13.02.11 £41.07 (£34.22). Cheque No.961
458. Maria Dyer office expenses £19.76 Cheque No. 962
459. PWLB reference 3 loans will be taken by direct debit on 21.03.11 £1,929.41
460. E-on Energy Street lighting for January 2011 Invoice No. HA7134BB1 dated 24.02.11 £38.54 (£36.70 net) will be taken by direct debit on 06.03.11
461. Harvey Escott to completion of transfer of Plot 207 to Parish Council Invoice No.004815 dated 28.02.11 £388.50 (£323.75 net) Cheque No.963
462. Cold Norton Village Hall Management Committee to hire of The Norton Room for PC meetings January to March 2011 inclusive 6 hours @ £5 per hour invoice dated 01.03.11 £30 Cheque No.964
463. Cold Norton Village Hall Management Committee to hire of The Cold Norton Village Hall for the Dengie Hundred Group of Parish Councils meeting on 26th January 2011 2 hours @ £5. Invoice dated 01.03.11 £10. Cheque No.964
464. Cold Norton Village Hall Management Committee to electricity used at village hall during renovation and extension works invoice dated 01.03.11. £2,618.00 Cheque No. 965. NB this payment was discussed and approved by Members under minute No.477.
465. HM Customs & Excise Tax/NI to 5th April 2011 £53.52 Cheque No. 967

466. Financial Statement

Current balances:

Standard Life 10 Day Notice as at 17 th Feb 2011	£	547.46
Santander as at 2 nd February 2011	£	<u>27,870.21</u>
	£	28,417.67

467. **Ramblers request for donation:** the Councillors considered this request for a donation (to be used to lobby local authorities not to cut their rights of ways teams responsible for footpaths) but decided that a donation would not be made at this point.

PLANNING

468. **Maldon District Council Decisions:** there were no decisions relating to Cold Norton this month. Noted by Members.
469. **Planning Applications received by the Parish Council:** the following were considered and responses were as indicated:

WTPO/MAL/11/00120 Four Corners, 10 St. Stephens Road, Cold Norton. TPO 15/96 T54 Horse Chestnut Tree – pollard beyond previous cuts to good growth points. Week No.7 dated 18th February 2011:

Cold Norton Parish Council has NO OBJECTIONS to the work contained within the above application, providing it is carried out under the guidance of Maldon District Council's Tree Officer.

FUL/MAL/11/00061 PP-01359022 The Norton, 54 Latchingdon Road, Cold Norton. Erection of 3 no. two bedroom and 2 no. three bedroom residential dwellings and single storey rear extension to existing public house. Week 8 dated 25th February 2011:

Cold Norton Parish Council has NO OBJECTIONS to the works proposed within the above application, BUT ONLY PROVIDING ALL THE FOLLOWING CONDITIONS are attached to the planning permission:

- That The Norton Public House is able to continue operating as a business whilst building works are in progress i.e. that building works are planned so that the business is not compromised
- That all the proposed works to the public house section of the site are commenced and completed prior to the commencement of the residential dwellings
- That an appropriate legal agreement is in place with The Norton Community Public House Committee to ensure that the long term future of the public house is assured. The Council would wish to see that a long term lease, with an option to purchase, is offered to the Committee
- That appropriate landscaping is agreed
- That the boundary distance indicated within the planning application is correct in relation to the neighbouring property
- That works commence within one year of planning application approval

The Parish Council feels very strongly that permission should not be granted for this planning application if any of the above conditions are omitted from the approval.

It was agreed that Clerk would arrange for Professor Barclay and Mr Guppy from The Norton Community Pub Committee to meet with the Planning Officer. **ACTION: CLERK**

470. **Car Breakers Yard, Russell Road, North Fambridge. Application No. ESS/30/10/MAL** Retrospective application for erection of depollution bay, offices, security fencing and lights. Stationing of caravan for night watchman, concrete hard standing and planting. Permission refused - copy of decision notice and enforcement notice supplied to members. Noted.
471. **Maldon District Council Planning Service Restructure;** Members had been supplied with details and 'map'. Noted.
472. **FUL/MAL/10/01089 17 St. Stephens Road, Cold Norton.** Construction of two dormers to front and two dormers to rear of house roof. Construction of a rear ground floor extension. Members had been advised in advance of this meeting that this application would be considered by MDC on 28th February 2011 at 7.30pm and that a representative of the PC would be permitted to speak at this for 2 minutes; full details of the procedure had also been supplied. No Members of the Parish Council had been able to attend.
473. **FUL/MAL/10/00004 Appeal Ref APP/X/1545/10/2140423/NWF Appeal by Ridge Wind Ltd. Land between Middlewick Farm & Wraywick Farm, The Marshes, Southminster.** Members had been advised that the Inquiry re appeal is due to start on 8th March 2011 at 10am at MDC offices. Noted

HIGHWAYS AND ROAD SAFETY

474 Highways Schedule

Flooding along footpath behind Latchingdon Road: Members had been advised that the small pipe was found to be totally blocked and has now been replaced with one twice its size. Noted by Members

Speeding cars from bridge towards Palepit Roundabout: Members had been advised that the Clerk is liaising with Police Speed Officer re speed check at site agreed at last meeting. Noted.

Flooding near bridge: awaiting response from Highways: Members had been advised the Clerk had chased Highways again. Noted.

Directional sign on Latchingdon Road to indicate Village Hall location: Members were advised that Highways have advised that the existing post is suitable and that it is hoped that cost can be taken out of Highways new financial year budget to cover this. Noted.

School indicator sign corner of St. Stephens Road and Latchingdon Road: Members were advised that it is on Highways list to be checked. Noted.

Stow Road street sign opposite Hackmans Lane: Members were advised that this has been reported to Maldon District Council. Noted

Members were supplied with copy of a complaint received from resident relating to the footway along Latchingdon Road and advised that details had been passed to Highways. Noted.

Mrs Garnham requested that the Clerk contact the School regarding a leak from the drain at the front of the School, this was then flooding onto St. Stephens Road. **ACTION: CLERK**

475. **Highways & Transportation Update:** details of changes/new system for reporting highways matters had been supplied to Members. Following discussion the Clerk was requested to write to Cllr Hume to advise that the Parish Council did not find the new system satisfactory and that the direct contact with named officers should be reinstated. **ACTION: CLERK**

VILLAGE HALL

476. **Report from Parish Council Representatives:** Professor Barclay updated Members regarding the last VHMC meeting held on 1st March 2011, covering the situation at present including finances, lighting and insurance and notified Members that the next VHMC meeting scheduled is for Tuesday 5th April 2011. Noted.

477. **Village Hall Project:** Members discussed the invoice submitted by the VHMC in relation to electricity That had been used during these works. Professor Barclay and the Clerk had had sight of the electricity invoices received by the VHMC over the period of the building works. It was agreed that the invoice should be paid.

Members were supplied with a copy of the letter and title document received from Harvey Escott advising that Land Registry had accepted the statement in the transfer relating to the resignation of Cyril May and that the registration of Plot 207 is now in the name of the Parish Council. An error was found on the title document – Clerk to advise Harvey Escott. **ACTION: CLERK**

Mr Wakeling advised that certificates relating to the asbestos removal are still awaited from the Contractor; a meeting will be arranged with the Contractor and the Surveyor during May 2011 to discuss final defects, after which the final invoice covering the retention monies will be issued by the Contractor to the Parish Council. Noted.

478. **VANDALISM/POLICE MATTERS:** Sergeant Phil Morley had been unable to attend this meeting and had sent a report to the Clerk which was handed out to Members at the meeting. PCSO Gower was in attendance and the following subjects were discussed: vandalism at the playing field, parking issues relating to the school, theft of traffic light batteries during road works; PCSO advised Members of crimes relating to the theft of metal object/materials and commercial and domestic oil. Councillors requested more Police presence to deter vandalism in the playground.

479. **DISTRICT COUNCILLOR'S REPORT:** District Councillor Archer updated Members on the areas that had been taking up his time at the moment were the budgets for the coming financial year and planning matters.

OPEN SPACES

480. **Cowpiece Nature Reserve:** Mr Litscher gave an update on the works at the reserve. The Councillors thanked Mr Litscher for all his work. Mr Litscher then advised the Members of the immense contribution Mr Paul had made to these works. It was agreed that in order to mark Mr Paul's work at Cowpiece and all his other work around the village for such a long time that a new bench should be installed in Mr Paul's honour. Clerk to write to Mr Paul to formally thank him for his work around the village and to ascertain where he would ideally like the bench to be located.

ACTION: CLERK

481. **Playing Field**

Members had been supplied with a copy of the report from the Clerk's meeting /inspection with officers from Maldon District Council's parks and maintenance departments relating to fencing, tiling around swings, renewal of bark around junior multiplay system and resurfacing of the hard standing also grants. These recommendations will now be investigated/costed and brought back to a future meeting.

ACTION: CLERK

Clerk advised Members that arrangements have been made to use the inspector being employed by Maldon District Council for MDC parks other Parish Councils' play areas at a cost of £55 ex VAT for the playground etc which will include a risk rating for every piece of equipment and furniture including fencing. Inspection will be carried out in April and the report will be supplied late May/early June. Members were advised that the ROSPA fee last year for playground inspection was £101. Members were advised that the Parish Council will need to carry out its own inspection at Cowpiece.

Members were advised that the new panel at top of Timberline slide was installed on 3rd February 2011, and that they replaced one of the other panels free of charge. Members were advised that now only one panel needs replacing which will cost £250 ex VAT. It was agreed to monitor the condition of this panel.

ACTION: CLERK

Members were advised that regarding the temporary gate/replacement fencing installed when the builders were on site to allow access to the playground that the fencing is in place, but that gate is still to be removed.

ACTION: CLERK

Signage into field: Members were advised that the Clerk is meeting with an officer from MDC on 7th March 2011. Noted

Members were advised that the regarding the trench on playing field that it had been filled in, but needs to be monitored. Noted by Members.

482. **Village Caretaker work** – report for work to 25th February 2011:

Around the village hall and playground I have continued to inspect the area. I have collected litter and noted the state of the area including the equipment. The fencing around the young children's play area, erected by the parents, has been damaged again by vandals: I was unable to find the broken parts this time. I note the repairs to the play equipment are completed.

I have removed a considerable quantity of fallen leaves in the car park, and am completing this task as the wheelie bin is emptied. I note that the damage to the village hall soffits apparently caused by footballs kicked up above the windows is still evident. I shall monitor them for further damage, and understand that repairs are in hand. No further damage is apparent.

I continue to inspect the triangle area and to remove any litter. My general inspection of the verges around the village has indicated no further fly-tipping.

With regard to the Cow Piece Nature Reserve, I have noted that where vegetation has been removed from around the trees rabbits have started to eat the bark. I shall fit tree guards ASAP. I have also noted that there has been some fly tipping of builders' rubbish on the reserve.

PUBLIC RIGHTS OF WAY

483. **Footpaths Map:** Members were advised that Mr Hawes and Clerk are liaising re draft/amendments and inclusion of circular walk also re P3 grant for 2011/12 as this job will not be completed in this financial year and P3 grant allocated in 2010/11 cannot be carried over after 31st March 2011. With regards to photographs to be included on the map Clerk is liaising with Mrs Garnham and Mrs Sonia Svensson and Clerk advised that the Printer is holding the price quoted in November 2009. Noted.

484. **Bridleway along old railway line:** Members were advised that an update had been received from the PRoW: *"Worst sections of bridleway surface to be levelled and planings laid. Hand rail to be installed at entrance to bridleway from Honeypot Lane; works due to be completed before financial year end weather permitting."* Noted by Members.
485. **Case 800 – Footpath Claim along Ferris Avenue & Station Crescent to Latchingdon Road.** Members had been advised that the Investigation had been completed and that it had been decided that the application be refused as detailed in copy letter supplied to all Members (Extract from the letter: *"...the investigation into the Parish Council's application had been completed and that it had been decided that the application be refused, as the investigation revealed that Station Crescent and Ferris Avenue are public roads (along which the public have the right to walk, ride and drive) and do not at the present time fall to be publicly maintainable. It would not therefore be appropriate that the Definitive Map of Public Rights of Way be modified to show them as public footpaths or any other status as their true status is beyond what can be shown on the Definitive Map."* Legal Services also advised: *"...there is currently a Prohibition of Driving Order affecting the section of Ferris Avenue that leads to Latchingdon Road. This order does not affect the public's right to walk along this section of Ferris Avenue."*). The report containing evidence and reasons behind the decision had been passed to Mr Wakeling to then be circulated to other Councillors. Mr Litscher requested to view the document after Mr Wakeling. Members were advised that if the Parish Council wished to appeal against this decision that this must be served on The Planning Inspectorate and ECC within 28 days of 24th February 2011. Members agreed that they did not wish to appeal against the decision made, but requested that the Clerk obtain clarification of 'public' and 'private' road.

ACTION: CLERK

486. **EMERGENCY PLANNING/PROCEDURES:** Mrs Garnham advised that this topic was being included in the Village Plan questionnaire. Noted

TRAINING/CONFERENCES/MEETINGS.

487. **Mid Essex Area Forum Thursday 3rd March 2011 2pm in Chelmsford:** no one available to attend
488. **Census Day 27th March 2011:** Members had all been supplied with a copy of the Councillors Guide to the Census. Noted.
489. **Dengie Hundred Group of Parish Councils Meeting Wednesday 23rd March 2011 7.30pm in Mayland:** no one available to attend. Clerk to send apologies. **ACTION: CLERK**

CORRESPONDENCE

490. **ECC Essex Libraries Consultation:** Details had been supplied to Members who were reminded that the consultation closes on 27th March 2011. Noted
491. **Members had been supplied with copy E-mail from resident re Christmas Decorations at County Produce:** Members requested that the Clerk contact the Retailer. **ACTION: CLERK**

492. **VILLAGE PLAN:** Members were updated by the Working Group and advised that there will be three sections to this: general, business and youth and that Mrs Garnham had had a meeting with the RCCE re support and grants available. Noted.

493. **RCCE 2011 ESSEX VILLAGE OF THE YEAR AND BEST KEPT VILLAGE COMPETITION:** following discussion it was agreed to enter again this year. **ACTION: MR WAKELING/ CLERK**

LOCAL ELECTIONS

494. **Purdah Guidance 2 issued 16th February 2011:** Members had been supplied with a copy of this NALC paper. Noted.

495. **Forms/election packs:** Members were advised that these will be available from Maldon District Council from 4th March 2011 and that once completed forms have to be returned to Maldon District Council before noon on Monday 4th April 2011. Clerk offered to obtain packs from MDC for all current Members.
ACTION: CLERK

496. **ANY OTHER BUSINESS** (Members are reminded that no decisions may lawfully be made under this agenda item - however matters may be discussed which involve exchanges of information only.)
No matters were raised.

DATES OF FUTURE MEETINGS

Scheduled or provisionally scheduled for 2011: Wednesday 6th April.
APM and AGM dates still to be set.

497. **EXCLUSION OF PRESS AND PUBLIC:** pursuant to S.1 of the Public Bodies (Admission to Meetings) Act 1960 the meeting be not now open to the public and press for the following items of business and they were instructed to withdraw.

All Members of the Public departed.

498. **Village Hall Management Committee:** Members discussed numbers etc and it was agreed to monitor the situation.

Chairman.....

Date.....