

Minutes of Meeting on 8th February 2024
Elmstead Parish Council – New Community Centre Committee
Community Centre, School Road, Elmstead Market, CO7 7ET

Present: Mr P Beard (Chairman items 24/006 onwards) , Mr R Fairweather (Chairman items 24/001 to 24/005), Cllr Adam Gladwin, Cllr M Hare, Mr S Higgins, Mrs J Triscott, Cllr Martine Ward, Mrs R Valentine and Mr S Wright.

Also present: Mrs Baxter (clerk).

Not present: Mrs C Brock, Mrs J Grotier, Mrs L Scott and Mrs D Stammers.

24/001 Chairman's welcome

Mr Fairweather welcomed everybody. As Mr Beard was running late Mr Fairweather chaired the meeting until he arrived.

24/002 Apologies of Absence

Apologies were received from Mrs Brock.

24/003 Declaration of Pecuniary Interests and Personal Interests

None.

Mr Higgins arrived.

24/004 Approval and signing of the minutes from the meeting of 9th November 2023.

It was resolved to accept the minutes from the meeting of 9th November 2023 as true and accurate.

Proposed: Mr Fairweather, Seconded: Cllr Gladwin, all in favour.

24/005 Public Speaking

None present.

Cllr Ward arrived.

24/006 A report on any updates since the last Committee meeting to include:

i) A report on a meeting with TDC's director of planning.

Mr Beard arrived and took over the chairing of the meeting from Mr Fairweather.

Cllr Gladwin reported that he, Mr Fairweather and Mrs Baxter met with Mr Guiver, and Cllrs Gary Scott and Ann Wiggins also attended. The main point was discussing the drainage. Mr Guiver accepted that it seems like 2 very important pipes are missing which is causing the drainage problems. Mr Guiver will arrange a meeting with Go Homes to discuss this.

Mr Guiver will also speak to the Go Homes about the open space being completed. He realised how concerned we are.

Mr Guiver also mentioned that the topography of the land may have changed which may be contributing to flooding in neighbours' gardens and so will also look into this.

Mr Guiver confirmed that the legal agreement applies to all the successors in title, and the mortgagees and the successors in title of the mortgagees. Cllr Gladwin explained that if the developer goes bankrupt then the financier takes on the responsibility.

Another charge has been taken out on the site in the name of Mr Tedder for £3 million.

Mr Guiver is going to check if TDC signed off on the open space plan. He confirmed that we can submit variations on a reserved matters application. He confirmed that TDC can't give us the plans submitted for the previous application as we don't own the copyright.

Mr Guiver will chase up the receipt of the contribution from the Church Road development.

When Mr Guiver meets with Go Homes he will also ask about the incursion on the field.

Mr Fairweather was asked by adjacent residents if the council has discussed what it will do about the few feet of land that some of the adjoining residents have utilised at the back of the garden.

The clerk pointed out that as council owned land then it will be covered under the council insurance and will come under the council's liabilities, so can't be under someone else's

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control. Cllr Gladwin added that the council can't responsibly give up council owned land. One of the residents has put a fence up about 3m into the open space land. The clerk added that our solicitor said that Go Homes should be transferring the land without encumbrances.

Cllr Scott has passed on that the residents have asked for fast growing hedging at the boundary line, which if agreed could be in that gap under question.

The clerk is to add the encroachment to the next PC agenda so that it can be minuted and put in Upmarket to get the message out.

ii) *The status of the Charity Field development.*
Nothing added.

iii) *The status of the Church Road development and the payment of the s106 contribution for the building of the community centre.*

The clerk contacted TDC to see how close the Church Road development was to its trigger point. The reply was that it had reached it. The clerk also contacted Mr Newell but didn't receive a response.

TDC gave Newell Homes an expected payment date of 26th January. This will go to TDC to hold on our behalf.

It was asked if we would earn interest on that holding.

Action: The clerk is to check with TDC.

The committee viewed the updated funding spreadsheet to see the current totals available for the community centre and the open space. There is a time limit on spending those funds. It's possible that some of the open space money could be used towards the car park, which would free up some of the building funds for the community centre.

Action: The clerk is to add a column to the spreadsheet to show the deadlines for expenditure of the section 106 contributions.

Cllr Hare expressed concerns that we would not receive the contribution from Go Homes as there is no personal guarantee. It was responded that the deed of variation is a legally binding document.

Cllr Gladwin said that Heritable Development Finance Ltd are signatories to the deed of variation so we think they would be liable if something happened to Go Homes.

It was asked if there are any new developments that contributions could be sought from. The 81 houses on Clacton Road were discussed. If it gets refused by TDC but allowed on appeal, then if there's nothing in the section 106 we'll get nothing.

Mr Beard spoke about previous advice from Mr Guiver that when we object to an application, we should also be asking for what we want for the Parish if the application is approved.

The clerk checked the open spaces response to that application which says that they would have to make a contribution towards the deficit of open space and identified Charity Field.

That funding would take longer to come through.

Mr Beard asked if there were any areas on the Neighbourhood Plan that allowed new housing. The NP does not have any allocated housing because the PC was told by TDC that we had met our housing requirement in this plan period.

24/007 New Community Centre/car park land and Open Space land

i) *An update on the land transfers.*

The clerk reported that the PC solicitor did not get the required paperwork from Go Homes until recently and is now working on his paperwork. He is going to broach the subject of a deed of variation for a choice of builders.

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ii) To discuss the drainage situation.

Regarding the flooding our solicitor advised that the PC needs to be mindful of its strategic need to take on the land, however he did not know about the missing pipes. Cllr Gladwin said that once the pipes are installed and the grass has grown, and if we tie the French drain into the rest of the drainage, we may not have any drainage issues. Mr Guiver will also ask Go Homes about the turfing of the land.

Mr Fairweather spoke about the development having no drains. Once the road is in the rainwater will come off the roofs across the road and into the gully. Cllr Gladwin added that it is then meant to go under the roads to the big pond at the back. There is no drainage from this pond. It's a swale which will dry out in the summer. At the moment it's nearly empty.

iii) To discuss the boundary.

Discussed previously.

24/008 Planning permission

An update.

The PC has sent a brief to 4 architects and they have all expressed an interest in providing a quote. There is a deadline of 23rd February for responses.

The floorplan will stay the same, if we have to change the heating system to meet current building regulations then some of the internal walls may need to move. The main change will be the roof.

We will get a breakdown of costs for RIBA stages 1 to 3.

It was agreed that the committee would meet before the PC meeting on the 29th February to discuss the quotes and feedback to the PC meeting.

24/009 Matters raised for the next agenda or for information only.

Leave the agenda as is with a focus on the planning application.

Mrs Triscott suggested approaching some Parish residents for donations.

24/010 Date of next committee meeting

29th February at 7.30pm.

The meeting closed at 8.18pm.

Minuted by Mrs A Baxter

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