

Minutes of Meeting on 4th January 2024
Meeting of Elmstead Parish Council
Community Centre, School Road, Elmstead Market, CO7 7ET

Present: Cllrs Adam Gladwin (Chairman), Amanda Brennan, James Chable, and Martine Ward.

Also Present: District Councillors Gary Scott and Ann Wiggins.

Mrs Baxter

Two members of public

Absent: Cllrs Sarah Donaldson, Michael Hare, Maxine Jeggo and Gill Williams

24/001 Chairman's welcome and notifications.

Cllr Gladwin welcomed everyone and explained that the meeting would be recorded.

24/002 Apologies for Absence.

Apologies were received from Cllrs Sarah Donaldson, Michael Hare, Maxine Jeggo and Gill Williams.

24/003 Declaration of Pecuniary Interests and Personal Interests.

None.

24/004 Approval and signing of the minutes from 7th December 2023.

It was resolved to accept the minutes from 7th December 2023 as true and accurate.

Proposed: Cllr Brennan, Seconded: Cllr Ward, all in favour.

24/005 To receive an update about the progress of resolutions from the meeting above not covered in this agenda.

The clerk went through the actions list, many are still to do due to illness and holiday since the last meeting.

The clerk has asked TDC for the bottle banks on School Road to be pushed back as far from the road as possible.

Cllr Scott has asked TDC to send letters to the residents affected by flooding with the response from planning enforcement.

Cllr Scott said that he spoke to a woman from CVST about the deadline for spending any warm hub grant funding received from them and she suggested we apply and if necessary, buy Tesco/Asda etc gift cards which can be used towards the costs of the hub beyond the deadline.

24/006 Public Speaking

A member of public asked when the s106 funds would be received for the new community centre. It was responded that the Church Road development has nearly reached its trigger point, and we expect to be informed of this imminently.

The clerk is to ask TDC if Church Road has reached its trigger point yet.

A member of public reported that the flooding at the Victory Fields entrance is bad and asked if we knew when the developer would be doing the road. The swale is filling up and he doesn't think that finishing the road will sort it out. They have had a lot of drainage issues; they have had to flush the drains several times.

The council did not know when the road would be finished but there was a discussion about the field being waterlogged too and that the subsoil is full of clay which is holding water. We're pursuing it with TDC and the response we got wasn't very helpful.

Cllr Scott said that he would continue to pursue TDC about the flooding and suggested that as we have a number of issues to go to Mr Guiver with that we ask for a meeting.

It was agreed that we would contact Mr Guiver and ask for a meeting. We also need to hear back from our solicitor about how the flooding issue is affecting the land transfer.

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24/007 District Councillor report

Cllr Wiggins wished everyone a happy new year and read through the written report. This can be viewed at <https://www.elmsteadparishcouncil.org.uk/meeting-reports>.
Cllr Scott spoke about the e-mails that have been sent about the speeding issues on School Road. It's a County Council matter. Cllr Guglielmi responded to the resident and spoke about LHP applications and how long they take.
There has been a lot of flooding across the District. Cllr Scott has been forwarding e-mails from residents to the relevant officers. ECC are responsible for surface rainwater and drainage and TDC are responsible for cleaning the roads.

24/008 County Councillor report

Not in attendance. The written report can be viewed at <https://www.elmsteadparishcouncil.org.uk/meeting-reports>.

24/009 Planning Applications

- i) *23/01731/FUL. Land North of and Including Access Road to Beth Chatto's Gardens Clacton Road Elmstead Essex CO7 7DD. New entrance road to Beth Chatto's Plants and Garden. Development of 81 dwellings with related picnic area and open space.*
Extended deadline for comments: 13th January 2024.

Cllr Ann Wiggins left the room.

It was discussed that the Parish does not have the infrastructure for more big planning applications. It will turn into a huge development at that end of the parish with the Lanswood and Hills developments. We can't see a section 106 agreement, there have been no benefits for the Parish offered. It will bring more traffic and is not the right type of housing. It will put further pressure on to the Clacton Road/School Road junction. Beth Chatto has thousands of visitors every year, it's not an appropriate location. It will destroy the hedge. It is outside of the development boundary in the Local Plan.

We were told by Mr Guiver that with the additional housing coming from the Garden Community there was no need for additional housing in Elmstead.

It was resolved to object to the application and call it in to TDC's planning committee.

Proposed: Cllr Gladwin, Seconded: Cllr Brennan, all in favour.

- ii) *23/01692/PIP. Shaftesbury House Clacton Road Elmstead Colchester.*
Permission in principle for 5no. self build dwellings.
Extended deadline for comments: 19th January 2024.

This development is part of a back garden. It will be adjacent to the previous application and will cause the same problems. It is also outside of the development boundary.

It was resolved to object to the application and call it in to TDC's planning committee.

Proposed: Cllr Gladwin, Seconded: Cllr Brennan, all in favour.

Cllr Gladwin will draft notes for the above objections and the clerk and Cllr Brennan write it up. We need to send the reasons for the objection to Cllr Scott so that he can call them in.

24/010 New Community Centre and Open Space land

Any updates?

There were no updates, we are waiting to hear back from our solicitor. We also need to put the planning application drawings out for quotes.

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24/011 Neighbourhood Plan and Neighbourhood Development Order

Any updates on the Examination?

Our examiner has contacted us to say that he has called for a hearing. This has been organised for the 8th February. The examiner will follow up with more details.

The clerk explained that of the £50k grant we received for the NDO we sent back nearly £2,000 not spent in the grant period. She is trying to apply for that unspent amount again but has been told it would have to be an exception case, and not to rely on it.

Oneill Homer is going to send a quote for the additional work to prepare for and attend the examination. We need Mrs Haim to attend for the Neighbourhood Plan and Mr O'Neill for the NDO. We currently have about £400 left in the budget for the NP/NDO.

It was resolved that if we do not receive a further grant from Groundworks to pay the additional expenses required for the hearing up to a limit of £2,000.

Proposed: Cllr Gladwin, Seconded: Cllr Brennan, all in favour.

24/012 Allotment Land

Any updates on the transfer to the Parish Council?

There were no updates, we are waiting to hear back from our solicitor.

24/013 Playing Field

To discuss the use of the playing field and a request by Market Field School to have an agreement between the School, the Parish Council and Reed Hall Sentinels.

Market Field School had drafted a legal agreement to set out rights of use of the playing field over the weekend to be signed by the school, the PC, the school's football club and RHS. It was discussed that the council has to be careful with legal documents and that we can't sign a document that would counteract the Joint User Agreement we have with ECC that gives the use of the field to the Parish Council at the weekend. It was also raised that not all of the parties have seen the agreement and so we don't know if they would be happy with it. It gives use of the playing field to the school on a Saturday with no limitations or conditions and there is no mechanism to enforce the repair of the field if it gets damaged.

It was discussed that if the school does join the disability league as intended their games shouldn't cross paths with the RHS games. Cllr Chable added that if the MFS team damages the pitch, they should repair it.

Councillors were not happy about the agreement being on MFS headed paper and the agreement referring to "our grounds" in clause 4.

Cllr Chable reported that certain areas are getting damaged by RHS, in particular the goal mouths and spectator standing areas. It was suggested that the spectators are asked to stand in different places to spread out the wear and tear.

It was felt that the field could accommodate both teams.

It was resolved that the council did not agree to the legal agreement proposed and that discussion should be had between the two teams to resolve any issues.

Proposed: Cllr Brennan, Seconded: Cllr Gladwin, all in favour.

The clerk is to contact RHS to let them know it has suggested discussion as the way forward.

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24/014 Finance

To look through the finance report and approve payments. See appendix 1.

The finance report was approved. Proposed: Cllr Brennan, Seconded: Cllr Gladwin, all in favour.

There was a discussion about the type of tyres on the mower, they get a lot of punctures going over various terrain. Would tractor tyres be better? They would be better for not getting punctures but wear more quickly on roads so it might be a false economy.

The clerk is to speak to the handyman.

24/015 Finance Committee and 2024/25 Budget and Precept.

i) *Feedback from the Finance Committee on the second quarter review.*

The clerk reported that the committee had gone through the expenditure in details and that it was very close to 50% of the budgeted expenditure.

ii) *To consider a grant for Essex Air Ambulance.*

The budget for grants was underspent by £200 and we do historically provide grants to the Essex Air Ambulance when requested.

It was resolved to agree a grant of £200.

Proposed: Cllr Brennan, Seconded: Cllr Gladwin, all in favour.

iii) *To hear a recommendation from the finance committee for the 2024/25 budget and the amount of precept to set for 2024/25. To agree a budget and precept for 2023/24.*

The recommended budget from the Finance Committee showed a budgeted expenditure of £70,837.36 and a budgeted net expenditure of £63,009.03. It was discussed however that the general reserve was low at approximately £20,800 and that the council needed to look at starting to build it up again. It was therefore decided to request a precept of £63,750, which would limit the council tax increase to 3% (therefore below inflation) but build in a small increase to the general reserve.

The 2024/25 budget and a precept of £63,750 were approved.

Proposed: Cllr Gladwin, Seconded Cllr Brennan, all in favour.

24/016 Events

i) *Christmas Market and Carols on the Green on Sunday 10th December. How did this go?*

Councillor Brennan reported that considering the weather the event was very successful. If it hadn't been raining, there would have been a bigger turnout. We also lost one of our catering vans due to a broken down generator. Santa was excellent but we had less children than when the event was held on the green. We made the best of what we could, including bringing the Morris dancers into the hall to dance.

Cllr Gladwin thanked everyone involved with organising and running the event.

ii) *The social hub, any updates?*

Cllr Ward reported that there are still only 4 volunteers. Additional advertising for volunteers was discussed and Cllr Brennan will put a poster together. This can also advertise other volunteers needed for the events and vacancies on the council.

iii) *January council surgery – attendance.*

Cllr Brennan and Cllr Ward will attend the surgery on the 27th January.

24/017 Governance

i) *Standing Orders. To discuss updated Standing Orders for approval.*

The clerk explained that the only changes were to Standing Orders 18a.v. and 18c to update the low value contracts limit from £25,000 to £30,000 (inclusive of VAT) in line with the requirements of the Public Contracts Regulations 2015.

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The above changes were agreed. Proposed: Cllr Gladwin, Seconded: Cllr Brennan, all in favour.

ii) *Financial Regulations. To discuss updated Financial Regulations for approval.*

As for above there was a change to Financial Regulations 11.1(b) and 11(h) to increase the low value contracts limit to £30,000 inclusive of VAT. There was also a change to 11.1(c) to change the source of the thresholds from "The Regulations set by the Public Contracts Directive 2014/24/EU" to "specified by the Office of Government Commerce" and to update the threshold limits in the footnotes to the current limits of £213,477 for public supply and public service contracts and £5,336,937 for public works contracts. The above changes were agreed. Proposed: Cllr Gladwin, Seconded: Cllr Brennan, all in favour.

24/018 Items for the next agenda or for information only

Cllr Brennan raised the issue of the progress of the crossing for Colchester Road. The clerk will check with Cllr Guglielmi and Essex County Council.

Cllr Scott recommended watching the beginning of the last TDC Local Plan and Policy Committee meeting as there is a good section on the benefits of having a Neighbourhood Plan.

24/019 Next meeting

1st February 2024.

Cllr Gladwin gave notice that he may not be able to attend the February meeting.

The meeting closed at 8.45pm.

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

Minutes written by Mrs. A Baxter

Contact: 07907 610381