

**MINUTES OF ASHELDHAM AND DENGIE PARISH COUNCIL MEETING HELD on
Monday 12th April 2021 at 6.30 p.m. via Zoom**

Present: - Cllr Nick Kelly, Cllr Lisa Brown, Cllr Sally Russell & Cllr David Henson

In attendance: Mrs. S Sayer (Clerk)

Members of the public: 17

21-22/001 – CHAIR’S WELCOME

In the absence of the Chair, Cllr Brown volunteered to take the meeting and the members agreed. Cllr Brown called for a minutes silence as a mark of respect for the recent passing of the Duke of Edinburgh.

Following the minutes silence Cllr Brown also requested that our sympathies are extended to Cllr Faulkner for the recent loss of her father.

21-22/002 – APOLOGIES

Cllr Carole Faulkner.

21-22/003-DECLARATIONS OF INTEREST

- a) Cllr Brown declared an interest as knows the applicant in Agenda item 21-22/007 (a)
Cllr Henson declared a non-pecuniary interest in the Agenda item 21-22/014 as it directly affects his business.
Cllr Brown declared a non-pecuniary interest in the Agenda item 21-22/014 as it directly affect her business.
- b) Members noted that it was their responsibility to register any changes in their Register of Interests on the Maldon District Council website.

21-22/004 – MINUTES OF PREVIOUS PARISH COUNCIL MEETING(S)

- a) The minutes of the meeting held on 1st March 2021 were proposed by Cllr Henson and seconded by Cllr Russell - **RESOLVED**

21-22/005 – QUESTIONS FROM THE PRESS AND PUBLIC – FIRST SESSION

- A resident the owner of the livery yard which has been in situ for 20 years. There has been a lot of shooting but that comes with the countryside and on 2nd April there was work happening on the site and the contractor stated that a Clay Pigeon Shoot was being set up locally and starting the next morning. Resident texted the owner of the Clay shoot and asked what was going on. Clay shoot owner stated that he rented the field and it was up to him what he did. Received a text saying that a Clay shoot would be taking place from 9.30 a.m. to 1 p.m. the following day. Horses were very unsettled in the stables and people who use the stables for livery were very concerned. Request made to clay shoot owner for more notice and it was stated that the text did not come until 8.30 p.m. the evening before the shoot. There are only 6 guns at the moment, but could go up to 30 per shoot. 60% horses are OK and not reacting but there are others that need sedating and lessons can not go ahead in the ménage due to the shooting. Allowed 28 shoots per year without planning permission, since June last year going through test messages, has had 12 clay shoots and that is without the bird over the ponds adds up to 32 since June over the ponds. Resident looked up guidelines that it should be 1.5km away from residential areas, livestock, schools, churches, old peoples homes and hospitals. It is 380 m from the fields of horses where the

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shooting takes place and it was further stated that the shoot takes place within the stated distance to local residences.

- Another resident – it has noticeably quieter during Covid-19 but weekends when shooting going on prior to Covid. Worried about the sessions increasing from 6-30 the noise is going to have negative impact on the weddings at St James and the cemetery just down the road for anyone wishing a quiet reflective time. Not really a country pursuit just something to make money.
- Land contamination is a concern if lead shot and steel shot is even worse. If the landowner grows a rapeseed crop it will be contaminated. There appears to be a new activity that either shoots into or across the pond and is horrendous from the wildlife point of view. Concurr with the noise that is made. People have complained about the Bradwell machinery making noise but this is much worse. Does not understand how you can mix guns with alcohol, it is not a good mix and is abuse of the countryside.
- Cllr Russell stated that does not feel that any thought has been put into the location and where it was located previously at Badnocks it was not as bad.
- A resident stated that she completely supported the Livery Stables owner. Very concerned about the shooting as a hacker.
- A resident stated that her family have lived locally for over 30 years and at the weekends ride horses. Have been adversely affected by this. It is not only the horses that have been affected. Can not enjoy land and leisure time due to the huge noise nuisance – have open gardens each year for Charity and feel that this would be adversely affected due to the noise. Stated that there had already been 32 shoots which is over the amount allowed under the Permitted Development Order part of the Town and Country Act 1995 and feel that the Clay shoot are in breach of that and even if planning permission was obtained, it is a statutory noise nuisance. There is a recent case in the Supreme Court of Coventry v Lawrence which was a statutory noise nuisance complaint and they had planning permission in that case, but this was ruled as a statutory noise nuisance under S80 of the Environmental Protection Act so we want to prevent this before he does obtain planning permission as the supreme court states, even if he did obtain this would still be classed as a noise nuisance and don't want to escalate this that far and don't want to prevent it before we have to enact any legal challenges to this. It is really impacting the enjoyment of our land and you expect a certain amount of shooting because of where we live but this noise is above and beyond what should be endured for a community.
- Another resident reiterated the impact of the noise and the effect it has on the horses.
- If shooting is going over the duck pond which feeds the water down into the reservoir and the dump was turned down due to the contamination of water courses. If they are shooting lead or in fact steel as previously mentioned that could pollute the water courses.

21-22/006 – HIGHWAYS & PUBLIC FOOTPATH ISSUES

- i) The application has been sent to the Local Highways Panel (LHP confirmation of receipt with a reference number is awaited. The 40mph along from Reddings Lane to start of Tillingham Village.
- ii) The ECC Highways meeting is now happening on Monday 26th April at 15.40 p.m.

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- iii) No news from ECC regarding the state of the pavement from Rushes Lane to Bend opposite the "The Rest".
- iv) No further news regarding the PROW_244_10.
- v) A vote of thanks was given to the sterling work done by the Asheldham Resident's Group and volunteers on Saturday 3rd April picking up litter. The police are aware of the problem with the drugs paraphernalia and the possibility that drugs are being dealt. If residents report everything that they see, then it will help get more action.

21-22/007 PLANNING MATTERS

- a) Planning Application(s)- To review and make a decision on the following application:-

VAR/MAL/21/00212

Dengie (P)

Tillingham (W)

Variation of condition 2 (Plans) On approved planning application 19/00857/FUL (Change of use of land from agricultural to residential and erection of garage and garden store). 3 East Ware Cottages Bridge Wick Lane Dengie Essex (UPRN – 200000914678) Mr and Mrs Carr Case Officer: Annie Keen Tel: 01621 854477 – Extension to Tuesday 13th April has been requested due to Bank holiday.

Members discussed the above application and supported on the grounds that the change did not affect anyone and was in the interest of health and safety.

- b) Planning Decision(s) – No decisions at the time of writing.
- c) Correspondence received over the course of the month and circulated via e-mail:
 - List of planning applications – 9-14 - NOTED
 - List of planning decisions and appeals – 9-14 - NOTED
- d) Enforcement Cases
 - i. No news received regarding the enforcement issue with Homelands at the time of writing.
 - ii. Update regarding new enforcement requested regarding the decision notice on application reference: FUL/MAL/20/00766 Asheldham and the non-adherence pertaining to the entrance.No news available for either Agenda items d) i or ii.

21-22/008 FINANCE

- a) The payments for April 2021 were agreed and proposed by Cllr Brown and Seconded by Cllr Henson. **AGREED**
- b) Members agreed the bank statements to 31st March 2021 to the reconciliation. Proposed Cllr Brown and seconded by Cllr Henson. **AGREED**
- c) Members agreed to appoint Auditing Solutions at the cost of £110.00 plus VAT to carry out the internal audit for the year end 20-21. **AGREED**

21-22/009 REPORT FROM DISTRICT COUNCILLOR

No Councillor present.

21-22/010 G&B Finch QUARRY LIAISON COMMITTEE MEETINGS

- a) Cllr Brown reported that Cllr Faulkner visited the quarry and the phases are ahead of schedule and they are dealing with some noise issues and putting new rubber lines on the sorter and some bunds being created between the quarry and

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neighbouring property. Any issues please send to G & B Finch direct and then it will be reported to ECC representative Mr Terry Burns if necessary.

21-22/011 Training

- a) Cllr Brown attended the Learning Disability training and it was very interesting and information was forwarded to members and something that members may wish to think about.

21-22/012 SUPER FAST BROADBAND

Clerk not done any more about this as appeared that many emails have dealt with this.

21-22/013 DENGIE VILLAGE SIGN

£1000 has been secured and resident has spoken to the Village Sign People and the rest of the funds have been secured from G& B Finch and there is a 15 mth waiting list. Resident said that several designs can be done and they can be altered to suit everyone involved. Spoke to several in the group and Dengie Church is long and goes nicely at the top of the sign, three pictures on the shield and one to either an owl sitting or in flight, a sheaf of corn on the other side or a tractor and in the centre of farmer milking a cow. Going to print them off. (Clerks Zoom failed at this point)

Clerk came back in a few minutes later.

The flag pole got blown over in the winds and got bent at the bottom which has now been repaired by two local residents and the flag is to go up to fly the flag at half mast. Vote of thanks was given for sorting this all out.

Village sign currently going to be located at the Dengie Village Hall, but this is not final. Other option is the grass verge opposite the triangle at the junction of Hall/Keelings/Manor Road and it looks like there is sufficient space to place the sign.

21-22/014 CLAY SHOOTING – HALL ROAD

Cllr Henson, hoped that the Parish Council could work informally alongside the Clay Shoot owner to minimise the problem. Three proposals, but want to address three safety issues:-

- i) Prior notice so that horses can be tranquillised if necessary,
- ii) Signage, as there is an East Anglian Farm Ride that goes all the way around the outside of the field.
- iii) Noise management – some bangs are louder than others, not sure why. If an explanation can be given or try and reduce the impact may help him prolong the shoot.

Hope to work together to minimise the problem.

Drafting a letter to Maldon District Council, to the land owner and to Bradley Faulkner.

People need to go on MDC website and fill in the enquiry forms and it will be sent to Environmental Dept.

Problem MDC had said the law does not cover the upset to animals only to residents but had recently received a complaint for noise so can now look into the matter.

Clerk informed that the permitted development was increased to 56 days last year due to end on 31/12/2021.

Shooting from Wednesdays was mentioned.

Cllr Brown, stated that a letter should be written to MDC, to the land owner Fisher Farms.

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Cllr Russell stated that everything that has been mentioned by residents should be listed in the letter to Bradley Faulkner.

Clerk to check with MDC concerning the new track and car park.

It was suggested by Cllr Kelly that it is believed that Fisher Farms own a lot of land on the Southminster Marshes, perhaps the shoot could be moved to a field there where it will not affect so many people.

Cllr Brown proposed that the Clerks writes to the parties, concerning, the safety issues, the signage, pre notification etc. - Seconded: Cllr Russell.

Further stated that Bradley Faulkner should write to everyone giving warning of impending shoots or put a sign at the end of Hall Road. Clerk requested that residents full address/email address as if he is supplied with the information and give permission to pass on regarding the data protection act. Also to put on the Facebook page.

Parish Council will send off the letters but the more people that register and go through enquiries will add momentum to it, however understand that they can only deal with it from a noise pollution aspect and possibly from the possibility of environmental pollution.

Resident has just paid £140.00 to be able to ride around various fields and the field where the shooting takes place is one of these rides.

21-22/015 ELECTIONS – 6TH MAY 2021

The Parish Clerk reminded everyone that the elections for the Police, Fire and Crime Commissioner for Essex Police Area will take place on 6th May, if contested and also 3 Electoral Divisions i.e. Heybridge & Tollesbury, Southminster and Maldon. Election of County Councillors for Essex also taking place on the same day. Postal votes to be registered by Tuesday 19th April.

21-22/016 QUESTIONS FROM THE PRESS AND PUBLIC – SECOND SESSION

- Missing road signs in Green Lane and Hall Road have been reported again and someone is on the case now and new road signs should be erected.
- Broadband it was said at the last meeting that the cables were already underground and resident disputed this. BT have given an estimate of £30,000 to be connected! Next-door neighbour expressed interest to same people and was quoted £21,000 but that is to be shared between 21 properties (identity of which are unknown) seems to be a total shambles for Southminster Road. However, some people are already set up and happy. Request for the PC to look into this and report back.
- Grass cutting, been paying for various bits of verge, if they actually belong to ECC it begs the question can we claim any expense back and should the PC being paying to cut it.
- Did Cllr Faulkner ever tell anybody what her son was proposing with the clay pigeon, as she must have known, after all both Bradley's Club and the simulated game shoot, both give her house and telephone number as the contact, so has she been keeping quiet about this all the time. I just thinks it is a very poor show as she must have known what Bradley was planning and has kept very quiet about it, and as Chairperson of the Council I think that is pretty disgusting behaviour.
- Another Resident who has listened to lots of facts and figures stated that it looks like there could be plenty of contraventions regarding the shoot and cartridges etc. etc. It was just

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touched on regarding the situation with the Chairperson and don't think that the Chairperson should walk away from it. The Chairperson was elected or co-opted to serve the Parish and Parishioners in the best way possible and that would include supporting any opposition to such an activity. Also as the Chairperson or leader of the Parish Council it is their duty to discuss and support with other Council members as to the wishes and best interests of the parishioners. The resident said he understood that if there is a planning application an interest will have to be declared but there is plenty of opportunity for the Chairperson to leave the council before that time and support you in what you are feeling. In all the facts and figures that have come out tonight, there is a number of people located around the activity area, but there plenty of other people around Manor Road and the Dengie Straight (Bradley is our neighbour although there is a field in between) that do not know anything about these proposals, it was only along the grapevine that I know and perhaps a general meeting should be held as this activity will impinge on everyone in the Asheldham and Dengie area and possibly Tillingham.

- A resident stated that it will have an impact on the value of houses.
- Cllr Russell said that it should go back to Badnocks as it did not seem to affect everyone so much.
- Fisher Farms have land and it could go out there as it would not affect anyone, but massively impacts everyone where it is.
- Clerk to write to ECC re possibility of a contribution to the grass cutting.
- It was stated that if the grass cutting reverts back to ECC the grass will only be cut a couple of times a year.
- Reiterated to try and get Broadband sorted out.
- Also looking forward to meeting with Cllr Kevin Bentley.

21-22/017 DATE OF NEXT MEETING

- a) Monday 10th May 2021 at 6.30 p.m. which will be the Annual General Meeting in Dengie Village Hall, Manor Road, Dengie.

21-22/018 ALL BUSINESS HAVING BEEN TRANSACTED – THE PARISH COUNCIL MEETING CLOSED AT 7.38 pm & THE ELECTED CHAIR THANKED EVERYONE FOR ATTENDING.