



**MINUTES OF THE BOWERS GIFFORD AND NORTH BENFLEET  
PARISH COUNCIL MEETING  
HELD VIRTUALLY  
WEDNESDAY 27<sup>th</sup> MAY 2020 AT 7.30 PM.**

**PRESENT:**

**Councillors:** R.Smillie: B.Foster: C.Morgan: T.Potter:  
D.Packer: D. Martin: C. Morris

**Parish Council Clerk/RFO:** Mrs Christine Barlow

**Ward Councillors:** Councillor Craig Rimmer (Pitsea South East)

**Public attendance:** 2 identified

**1/20 APOLOGIES FOR ABSENCE:** All Councillors were present.  
Councillor Craig Rimmer, Pitsea South East Ward Councillor, advised he was delayed joining the meeting.

**2/20 DECLARATION OF MEMBERS INTEREST:** To receive any declarations of disclosable pecuniary interests, other pecuniary interests or non-pecuniary interests by members relating to any agenda items.

No declarations were received

**CO-OPTION OF PARISH COUNCILLOR:** To confirm the co-option of a member of the public to fill the remaining Parish Councillor vacancy.

Following receipt of an application to fill the vacant position of Parish Councillor Colin Morris, a resident, was interviewed and invited to fill the post. Councillor Smillie welcomed Mr Morris to the meeting and invited him to introduce himself.

All Parish Councillors **AGREED** to co-opt Colin Morris on to the Parish Council and the Declaration of Acceptance was signed by Councillor Morris who will also need to complete a Declaration of Members Interest within 28 days of the meeting to complete the co-option process. The co-option status will remain until Parish Council elections take place in May 2022.

**3/20 VIRTUAL PUBLIC FORUM:** Residents have the opportunity to raise questions of the Parish Council which have previously been notified to the Parish Clerk by email (The time allowed for this item is a maximum of 15 minutes)

As no emails had been received the Chair invited those who were listening virtually to ask questions of their Councillors.

There were no questions raised but the resident who had raised the question of putting a notice on the Park gate regarding closing the gate on exiting and entering thanked the Parish Council for putting up the notice.

The Parish Clerk thanked everyone for watering the newly planted Acer tree in Westlake Park in the warm weather and is now flourishing and is beginning to grow stronger.

**4/20 WARD COUNCILLOR UPDATE:** Time is set aside for Borough/County Councillor/s to address the meeting, if present.

Councillor Rimmer, having arrived, advised that he had received a number of complaints regarding activities at Exchange House, Pound Lane and investigations were on going regarding a number of issues.

He advised he was still working to find alternative solutions to the parking issues at Ilfracombe Avenue and was looking into a solution from Councillor Martin which had become possible whilst looking at land availability for the Neighbourhood Plan. The land in question, previously owned by the Diocese of Chelmsford, is now in the portfolio of Basildon Borough Council and could be used for school parking if it became available. (It was noted that previously when the Parish Council were in discussions with the school to resolve the parking issues the Diocese had refused the Parish Council's request for a change of use because the land was being used for pasture at the time)

Councillor Rimmer informed he and Councillor McKenzie had visited the site of a proposed new Incinerator at Archers Fields off Courtauld Road. Parish Councillors present aired their objections to building yet another waste plant in the area and reinforced their objections by likening Pitsea to a " a dumping ground" for waste. DEFRA have already stated they consider there is a problem with Air Quality and this type of plant will add to the already high pollution levels in the atmosphere in this area. It was also confirmed that the type of Incinerator proposed had been rejected by several other counties across the country. Councillor Rimmer had now been started a petition on Facebook against the proposals and residents were encouraged to sign the petition on the Residents Against Pitsea Incinerator site. It was also noted that Clearaway had also set up a consultation to capture residents views and it would be assumed that once a Planning Application is submitted by Clearaway Recycling Limited to Essex County Council that this would also be available for comments.

**5/20 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD ON 29<sup>TH</sup> APRIL 2020.**

Parish Councillors virtually confirmed the minutes were an accurate record of the previous meeting held on 29<sup>th</sup> April 2020. Councillor Smillie **AGREED** to "wet sign" the document following the correction of a spelling mistake on page four.

**6/20 ANNUAL MEETING OF THE PARISH COUNCIL:** With reference to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 to discuss the options for holding the Parish Council Annual Meeting.

Under new legislation Parish Councils can decide to defer holding their legally prescribed Annual Parish Council meeting until May 2021 and any current appointments (e.g. the appointment of a Chair or appointment to external bodies) would continue until the next annual meeting or until such time as the Council determines to hold the meeting. Councillors were asked to consider the options available. Following a discussion it was **AGREED**, by all present, to review the situation regarding holding the annual meeting on a month to month basis and subject to published government guidelines during the current restrictions.

**7/20 PARISH CLERK'S REPORT:** An update on Parish Council business and information.

Chris Barlow, the Parish Clerk, advised she had received a number of reports regarding groups congregating in Westlake Park but there was little the Parish Council could do to disperse such groups as they were not enforcement officers. However, the Clerk advised she had contacted the Community Policing Team and asked them to include visits to the Park as part of their regular patrols to the area. She also urged residents to report any illegal gatherings under the current government guidelines to the Police by telephoning 101.

**Item 133/19:** A sign had been displayed on the Park side gate requesting users to close the gate when entering and exiting the Park, if safe to do so.

Emails had been received from members of the public regarding several rights of way not being accessible to the public. The clerk was in the process of contacting ECC Public Rights of Way Officer regarding reported the blocked pathways and asking him to investigate the complaint. These paths reported as unpassable were 143, 146 and 214.

**Church Road underpass:** Having received no conclusive updates on outstanding repairs to Church Road underpass from Essex County Council Officers despite requesting the same on several occasions an email had been sent to Councillor Kevin Bentley, Deputy Leader of Essex County Council and Cabinet Member for Infrastructure asking him to intervene on the Parish Council's behalf to resolve the repairs issues. This reply was pending.

Police reports had been received regarding the Theft of a Motor Vehicle in Pound Lane (a Ford Transit Van Registration Number F3 CKX) and criminal damage to a vehicle in Burnt Mills Road. It was also noted that the Police had launched a speeding enforcement initiative to try and reduce speeding offences in the Borough.

**8/20 VIRTUAL MEETING PROCEDURE:** To discuss the introduction of a virtual meeting procedure in the current climate.

Councillors had received a copy of the policy prior to the meeting detailing the procedure for holding virtual meetings in the current climate. The policy and procedure were **AGREED** in principle. The main change to the process was that anyone wishing to join the meeting would need to contact the Parish Clerk by email before the meeting to obtain an Identification Code (ID) and password as opposed to the current procedure of providing this on the agenda and website automatically.

**9/20 FINANCE REPORT:** To acknowledge/confirm/agree the following:

**(i) The Parish Councils current financial position:**

Chris Barlow, Responsible Finance Officer, presented a summary of account to Councillors of the Council's income and expenditure over the previous month. It was noted that all VAT on payments were refundable, on application to HMRC.

	£
Balance at Bank as of 28 <sup>th</sup> April 2020	28,388.07
Balance at Bank as of 22 <sup>nd</sup> May 2020	25,762.12
<b>Expenditure:</b>	2,625.95
<b>Income:</b>	<u>Nil</u>
<b>Expenditure Summary:</b>	
(522) ONeil Homer – SEA/SA Preparation (inc. VAT)	1,800.00
(525) Clerk's Net Salary (April) inc. Tel/BB/Office use	753.95
(526) Meeting charge - Benbow Club x3 ( inc. VAT)	<u>72.00</u>
	2,625.95

**(ii) The Annual Governance Statement and Accounting Statements 2019/2020**

Every smaller authority in England that either received gross income or incurred gross expenditure exceeding £25,000 **must** complete an Annual Governance and Accountability Return (AGAR) after the 31<sup>st</sup> March each financial year.

The AGAR is made up of three parts: (i) The Annual Governance Statement (ii) The Accounting Statements for 2019/202 (iii) The External Auditor's Report.

The Annual Return also included an Internal Audit Report.

The Annual Governance Statement asked Councillors to confirm that the Parish Council that all proper practices had been followed throughout the year and there had been sound system of internal controls in place for effective financial management and for the preparation of the accounting statements for the year ending 31<sup>st</sup> March 2020. A copy of the full statement been provided to Councillors.

All present **AGREED** that proper practices had been followed during the year and Councillor Smillie, Chair confirmed he would “wet sign” the statement.

(iii) The delegation of Parish Council business to the Clerk in an emergency:

The Parish Council need to update the Financial Regulations to enable the Parish Clerk to act on behalf of the Parish council in the current Covid-19 situation. Councillors under the Local Government Act 1972 cannot make decisions unilaterally, they must be made at a meeting of the whole Council. At the Parish Council meeting on 29<sup>th</sup> April 2020 Members agreed to delegate powers to the Parish Clerk to make decisions on behalf of the Parish Council in an emergency to protect community’s interests and Council finances. It was confirmed that Parish Council’s Financial Regulations and Standing Orders had been amended to read as follows:

*“All decisions in respect of the exercising of its statutory function or powers must be made at meetings of the full council. Individual Members of the Council cannot make decisions unilaterally which affect the Council as a whole. The Parish Clerk has delegated powers to act on behalf of the Council in cases of extreme risk or emergency to delivery of Council services in order to protect the interests of the community and ensure the continuity of Parish Council business. If a meeting in public or virtual meeting cannot take place Councillors will be contacted via email for their views and a decision will be taken based on the majority view. In addition in such an emergency the Parish Clerk will have delegated powers to make payments to secure goods up to and including £1,000 if any of the above is at risk.”*

**10/20 PLANNING:** Councillors to review and comment on Planning Application/s under the Town and Country Planning Act 1990 (as amended)

**TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATION NO: 20/00453/FULL**

Construction of two detached houses with detached garages and two new vehicle accesses - Land West of Elizabeth Villa, Katherine Road, Bowers Gifford, Basildon

The Parish Council considered that the above application was inappropriate development in the Green Belt at the present time and had forwarded their comments to the planning officer.

However, since publishing the agenda Basildon Council had indicated, on its Planning Portal, that the planning application had been withdrawn.

**TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATION NO: 20/00361/OUT**

Outline application for self-build residential development of up to 7 dwellings with all

matters reserved. - Land North of Clifton Road, Bowers Gifford, Basildon

Planning Officers were advised that it was the Parish Council's understanding that the drawings submitted by the applicant were incorrect and were to be amended and it was considered that until the correct drawings were presented for consideration, the Parish Council was unable to support the application.

**TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATION NO:  
20/00494/FULL**

Increase height of current log cabin for use as personal golf simulator – 37, Highlands Road, Bowers Gifford, Basildon, Essex

Parish Councillors raised no objections to the application.

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)  
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
REGULATIONS 2011**

**APPLICATION NO: ESS/49/14/BAS Proposal:** Continuation of installation of waste pre-treatment facilities and recontouring of the landfill to facilitate restoration permitted by ESS/35/06/BAS without compliance with condition 4 (completion timescales), to allow waste to be deposited on site until 31 December 2025 and the site restored to nature conservation by 31 December 2027 and without compliance with condition 3 (waste geographical sources) to allow importation of waste from outside Essex and Southend and also without the development of the previously permitted waste pre-treatment facility. **Location:** Pitsea Landfill, Pitsea Hall Lane, Pitsea, Basildon, SS16 4UH

Councillors had not had insufficient time to consider the application but would formulate a response as required and it would be forward to Essex County Council in due course.

**11/20 PLANNING DECISIONS:** To receive updates regarding Planning Applications discussed at previous meetings and other relevant applications:

The Parish Council had received the following planning appeal notices regarding the refusal of planning permission by Basildon Council. The appeal notices were as stated below:

- (i) **PLANNING APPEAL:** APP/V1505/C/18/3200138 Land Adjacent to Church Road, Bowers Gifford, Basildon, Essex, SS13 2HG
- (ii) **PLANNING APPEAL:** APP/V1505/C/19/3228293 Land at Park, London Road, Bowers Gifford, Essex, SS13 2HD

The Council was in the process of preparing a response to both appeal notices and their comments would be forwarded by email to the Planning Inspector by the due date of 1<sup>st</sup> June 2020.

Decisions by Basildon Council in respect of the following planning applications:

**Planning application No: 20/00361/OUT:** Outline application for self- build residential development of up to 7 dwellings, with all matters reserved  
Land North of Clifton Road, Bowers Gifford, Basildon, Essex – **Refused**

**Planning Application No 20/00283/FULL:** Single storey rear extension  
75 Highlands Road, Bowers Gifford, Basildon, SS13 2JA - **Granted**

**Planning application No 20/00140/ABAS:** Display of 3 non-illuminated signs at roundabout junction of London Road/Canvey Way/A13/A130.  
Sadlers Farm Roundabout London Road, Bowers Gifford, Basildon, Essex - **Granted**

**12/20 NEIGHBOURHOOD PLAN UPDATE:** To update on the current progress of the Neighbourhood Plan.

At the request of the Borough Council the Parish Council consultant, Neil Homer, had prepared a Strategic Environmental Assessment and Sustainability Appraisal (SA) Scoping Report, on behalf of the Parish Council, to support the evidence base in the Neighbourhood Plan. Both reports had now been completed and had been submitted to the relevant statutory consultees for a five-week consultation. All consultees had acknowledged receipt of the reports and confirmed they would respond by the closing date of 22<sup>nd</sup> June 2020.

The first of several meetings with key developers had taken place virtually and Neil Homer, Councillor Bernard Foster and Chris Barlow, the Parish Clerk, were present on behalf of BGNBNP. Councillor Martin having worked extremely hard to pull all sites submitted together and map their locations had now taken a step back from direct planning discussions with each developer. It is now proposed that collectively the details on each site which had come forward as part of the Parish Council's "Call for Sites" consultation held in 2019 will collectively be shared with the BGNB Steering Group to discuss to bring all members of the group up to date within the next two weeks on the progress of the Neighbourhood Plan.

With the agreement of the Steering Group it is proposed to hold a six- week Pre-Submission consultation of the Neighbourhood Plan (known as a Regulation 14 consultation) in mid-September 2020 the outcome of which will link with Basildon Council's Examination of the Local Plan in October/November. These timings were provisional as all depends on the outcome of the Governments Air Quality analysis.

The proposal is to put the Pre-Submission of the Neighbourhood Plan alongside the Examination of the Local Plan to demonstrate to the examiner that the Neighbourhood Plan (NP) is deliverable. Developers have been asked to provide more detail on their proposed developments by the end of June. A meeting had also been held with Basildon Council to discuss details of areas of Common Ground in preparation for the Local Plan Examination. Essex County Council were due to publish a detailed report in respect of planned highway infrastructure in the Parish, but the content of the document will reportedly not be available to either Basildon Borough Council or the Parish Council prior to publication.

**13/20 COMMUNITY GOVERNANCE REVIEW 2020 – BASILDON BOROUGH COUNCIL:**  
To consider a draft response for Parish Councillor comments regarding the review.


Due to the Covid – 19 pandemic the original timescale for comment on the review had being extended but there was still no definite date for submitting comments. The Parish Council had responded to a previous consultation and challenged the proposals within that proposal. Together with other Local Councils in the Borough any proposed changes to the previous consultation were not implemented. The Parish Council were in the process of making comment on the current review. The Parish Clerk was asked to obtain the views of the various Local Council Members in the District for their views on the review. This would normally be accomplished through discuss at the Association of Basildon Local Council meetings but due to current restrictions they had not met. Councillor Rimmer advised that the item was included on the Policy and Resources Committee work programme for July to hear a report on the review from Governance Officers but there was a suggestion that due to Covid – 19 the Council should be reprotising as it is not really appropriate to be dealing with an issue of this nature when the committee should be dealing with other more important matters.

**14/20 PERSONEL MATTERS:** To agree matters in respect of the Parish Clerks contract of employment.

The Parish Clerk having obtained her Certificate in Local Council Administration CiLCA as part of her contract with the Parish Council is entitled to an additional salary point added to her salary for successfully obtaining the qualification. This is addition to any annual salary increment set on a year to year basis. The Council had discussed these matters and it was **AGREED** by all that the increase should be sanctioned and back dated to 1<sup>st</sup> April 2020. The Parish Clerks contract of employment should be amended accordingly.

**15/20 DATE OF NEXT MEETING:** To confirm the date of the next Parish Council Meeting.

The date of the next Parish Council meeting was confirmed as 24<sup>th</sup> June 2020 and unless government guidelines changed regarding large gatherings the meeting would be held virtually and details of how to join the meeting would be published 5 days before the meeting in line with the virtual meeting policy.

Signed:  .....Councillor Bernard Foster , Chair.

Dated: 29<sup>th</sup> July 2020