

**MINUTES OF THE BOWERS GIFFORD AND NORTH BENFLEET
PARISH COUNCIL MEETING
HELD AT THE BENBOW CLUB BOWERS GIFFORD
ON WEDNESDAY 29th JUNE 2016 AT 7.30 p.m.**

PRESENT:

Councillors: R.Smillie (Chair): B. Foster: S.Pegg.

Parish Council Clerk: Mrs Christine Barlow

Residents present: 15

16/16 Introductions - To welcome all to the Parish Council meeting

17/16 Apologies for absence: Councillor Matthew Phillips and Councillor Nigel Tyler.

18/16 Declarations of member's interest – To receive any declarations of disclosable pecuniary interests, other pecuniary interests or non-pecuniary interests by members relating to any agenda items.

Councillor Robert Smillie declared a disclosable interest in respect of agenda item 26/16 – Planning Application - 16/00742/FULL 9 Kelly Road.

19/16 Councillor Vacancy: To agree the co-option of a new Councillor and the date of commencement of Office.

The Parish Council had met with Mrs Sheelagh Pegg in connection with her application to fill one of the vacant Parish Councillor posts before the meeting. All Councillors were in **AGREEMENT** to co-opt Mrs Pegg on to the Parish Council. Mrs Pegg confirmed her acceptance of the post and was asked to join the body of Councillors present. The Chair advised there were still two Parish Councillor vacancies and a resident advised that he would be interested in becoming a Parish Councillor. The Parish Clerk said she would contact him after the meeting to discuss further.

20/16 Policing Update: To receive an update regarding policing activities in the Parish.

The Parish Clerk had sent an email and asked for a member of the Police Community Team to attend the meeting to give an update on issues that had been raised at previous meetings. It was, however, apparent that no-one had been able to attend. An email from Acting Chief Inspector Shaun Kane on 24th June advised that the Police were actively pursuing prevention and detection in relation to dwelling burglary offences and drug offending across the district. The Community Policing Team had successfully located and arrested a number of prolific burglary offenders. Operation Novice is seeing the deployment of officers on foot and bicycles within hotspot areas which include coverage of Wickford, Bowers Gifford and North Benfleet. This is being

supported by mobile Automatic Number Plate Recognition (ANPR) technology and intelligent policing.

21/16 Public Forum: To enable residents to raise issues of concern with Parish Councillors (The time allowed for this item is 15 minutes)

(i) A resident raised the issues of fly-tipping in the underpass at Church Road and Old Church Road and the time it takes to remove it. The Parish Clerk stated that in recent days the area had been cleared by Basildon Council and evidence found in the rubbish to indicate the source. Councillor Foster explained that the issue of fly-tipping had been raised at the Basildon Local Highways Panel meeting by himself on behalf of the Parish Council and Essex County Councillor Keith Bobbin, who was in the audience. He advised that the Highways budgets had been cut which then had a knock on effect on projects being cut or delayed which had affected the prioritisation of the installation of the barriers at Old Church Road and Church Road. There were also some legal issues with the installation of the barriers in regard to access to adjacent properties which were adding to the process. The Parish Council advised they will continue to pursue the matter to bring the installation forward and will write to Rodney Bass, Cabinet Member for Highways for a response..

(ii) A resident advised that there had been at least four burglaries in Westlake Avenue over the past weeks.

(iii) The crossing beeper at the traffic lights in Pound Lane was not working and drivers were driving through red lights. Cars also appeared to view the Sadlers Farm junction, over the bridge leading to the London Road, as a dual carriageway. It was mentioned that the traffic lights at Sadlers Farm seemed, also, to be working erratically. It was suggested, by a resident, that a further box should be located on the A13 side of the roundabout to improve the flow of traffic.

(iv) The meeting was advised that a temporary repair had been carried out to the pathway outside No 12 Westlake Avenue.

(v) A resident thanked the Parish Council for holding the Picnic-in-the Park Event. She commented that it was well organised and despite the rain everyone had a fabulous time and the entertainment was very good. It was suggested that future the event might be held later in the year to ensure better weather. The Parish Clerk advised she had received hand-made cards from three of the children who had attended the event, thanking the Parish Council for an enjoyable day and for the commemorative coin that was given to the children who entered the draw at the event. A suggestion for a future event was a Christmas Market

(vi) A resident informed the meeting that St Margaret's School, London Road was holding an Inflatable Day on 20th July from 2.30 – 4.00 p.m. The cost of tickets would be £5.00 in advance or £6.00 on the day. Tickets could be obtained from the school.

- 22/16 Minutes of Parish Council meeting held on Wednesday 25th May 2016 -** Council to approve the accuracy and content of the minutes of the previous meeting and the Chair to sign.

The minutes were approved as an accurate record of the previous meeting and signed as such by Councillor Robert Smillie, Chair.

- 23/16 Parish Clerk's Report:** The Parish Clerk to report and update on Parish Council business.

(i) **Youth Bus:** Due to a delay in recruiting drivers it will not be possible for Essex County Council Youth Workers to carry out driver testing before the summer break and they will not be available themselves due to summer activities. Until the training can be undertaken the Youth Bus will be suspended until later in the year. More help is also needed from volunteers on a rota basis, and anyone who would like to volunteer should contact the Clerk.

(ii) **Item 8/16(v): Fly-tipping:** The matter had been reported and there were ongoing discussions regarding the installation of barriers and how the fly-tipping could be dealt with in the meantime. It had been suggested that covert cameras might be the answer but the installation of these was fraught with problems of red tape.

(iii) **Picnic- in-the Park:** A full account would be given at the July meeting as not all invoices had been received.

(iv) **Item 8/16 (i) Verges:** The need to cut the verges in Pound Lane and also at the junction of Pound Lane and Burnt Mills Road had been reported to Basildon Council and the cut was imminent.

(v) **Item 8/16(iv) William Road:** The issue regarding cars obstructing the highway had been reported to Essex Parking Partnerships.

(vi) **Item 8/16 (vi) Trip hazard adjacent 108 Pound Lane:** The matter had been reported on the Essex county Council website.

(vii) **Junior Play area in Westlake Park:** The top two bolts of the end panel on the slide have been removed and replacement parts ordered from Wicksteed.

(viii) **Correspondence:** An email had been received regarding the filling-in of ditches in Elm Road.

(ix) **Correspondence:** An email regarding ownership of land in Old Church Road adjacent to the London Road had been received.

- 24/16 Finance Report:** To report on the Council's current financial position and other financial matters.

Chris Barlow, Parish Council Responsible Finance Officer, presented a summary of the Parish Council finances since the last meeting:

	£	£
Bank Balance as of 20 th May 2016	12,730.04	
Bank Balance as of 22 nd June 2016	11,059.85	
<u>Payments</u>		
Net Clerks Salary+ Office Allowance (May)		616.19
Stationary – HP Printer Cartridges		51.00
Petty Cash		250.00
Internal Audit - Heelis & Lodge		80.00
Picnic-in-the-Park Expenses		500.00
Picnic-in-the-Park First Aid Cover – St Johns Ambulance		50.00
Printing- Picnic-in-the-Park /Neighbourhood Area leaflet		<u>118.00</u>
		1,685.19
<u>Receipts</u>		
Picnic-in-the-Park: Stallholder Fee	15.00	

Four stall holders, out of the six contacted, attended the Picnic-in-the-Park Event. A local business who could not attend gave an exquisite cupcake bouquet as a raffle prize instead. All the raffle prizes were donated by local business and individual residents.

Councillor Foster asked if the new LaserJet Printer was proving more economical. The Clerk advised that a true comparison was not yet available but on current performance there was a definite improvement.

Due to increases in National Pay Scales the Parish Clerks Annual Salary from 1st April 2016 – 2017 had increased by approximately £6.00 per month and therefore the Parish Council's Employer National Insurance Contributions had also marginally increased. A further increase had also been negotiated by the National Joint Committee (NJC) from 1st April 2017 - 2018.

25/16 Parish Council Financial Regulations: To amend the Parish Council's Financial Regulation No 11 to reflect the Public Contracts Regulations 2015.

In order to reflect the Public Contracts Regulations 2015 which had been in place since February 2016 the Council's Internal Auditor in her report recommended that the Parish Council Financial Regulations and Standing Orders required amending as per the wording of the clause in the regulation (Appendix A). Having read and considered the relevant wording Councillors confirmed their **AGREEMENT** with the amendment as presented.

Proposed: Councillor Robert Smillie. **Seconded:** Councillor Sheelagh Pegg.

26/16 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:

16/00742/FULL

Demolition of existing bungalow and erection of 2 detached houses - 9 Kelly Road, Bowers Gifford , Basildon, Essex

Councillors had no objection to the application as other properties in the road were of a similar design. However, concerns had been expressed regarding overlooking of neighbouring properties and in sending their comments to Planning Officers suggested that, where this occurred, obscure glass should be fitted.

**TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATION NO:
16/00775/FULL**

Rear extension to existing bungalow incorporating changes to the roof profile and dormers – Colorado, Burnt Mills Road, North Benfleet, Basildon, Essex

A previous application had been refused and the current application merely amended some elements of the previous design. Councillors considered that as the property was in a prominent position on Burnt Mills Road if the proposed changes took place they would be outside the accepted description contained in PPG2 and impact on the visual amenity of the area in conflict with BAS3. The changes to the property would also mean that neighbouring properties would be overlooked. The Parish Council recommended refusal of this application.

**TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATION NO:
16/00810/FULL**

Demolition existing bungalow, and erect replacement detached dwelling, detached double garage and stable block. – Sunnyside, Lower Avenue, Bowers Gifford, Basildon

Councillors considered that although the application did comply with some of the saved policies in regard to location within the plot, the footprint of the proposed dwelling, although acceptable in design, far exceeded the existing dwelling in size and height etc. and was therefore inappropriate as stated in PPG2 and tolerance levels in GB3. If the dwelling was reduced in size and existing dwelling replaced then the relevant General Permitted Development rights should be removed and BAS GB3 (Section 5) imposed in order to ensure that any further development on the site preserves the characteristics of the Green Belt and the plotland area and protects the wildlife corridor currently used by a unique variety of animals.

**TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATION NO:
16/00868/VAR**

Variation of condition 6 (Landscaping) of consent ref: 15/00820/FULL, seeking revisions to proposed landscaping scheme - St Margaret's School, London Road, Bowers Gifford, Essex

Councillors having considered the application made no objections to the variation of the proposed landscaping.

- 26/16/1 Planning decisions and comments** – To receive updates and comments on decisions in respect of planning applications discussed at previous meetings.

No 3 Osborne Road – has been refused

- 27/16 Neighbourhood Planning:** To update on the Parish Council's application to Basildon Council to designate the Parish as a Neighbourhood Plan Area.

The consultation regarding the Parish Council's application to designate the Parish as a Neighbourhood Area ended on 24th June 2016. Basildon Council had since requested to meet with Councillors to discuss the application and comments received during the week commencing 31st June, if possible. Councillors to advise the Parish Clerk of their availability.

- 28/16 Parish – in – Bloom:** To discuss holding the Parish-in-Bloom in 2016.

The Parish Clerk had received enquiries from residents regarding the holding of the Parish-in-Bloom Event and the Warden of Gifford House had asked if her residents could be included as they had started a gardening project. It was also suggested that a vegetable category should be introduced. Following a discussion Councillors agreed to hold the Parish– in- Bloom again in August. The date for judging was to be confirmed and was dependent on the availability of the judges. The Parish Clerk was asked to invite Mo Larkin, Deputy Lieutenant of Essex, to judge the competition again and an offer from one of the past winners to join her was received.

At this point the Chair opened up the meeting to ask a young person in the audience if there was anything that the Parish Council could put in place for the teenagers of the Parish. It was suggested that a combination of tennis, basketball and netball could be installed to facilitate activities for younger people.

- 29/16 Date of next meeting** - To confirm the date of the next Parish Council meeting.

The date of the next meeting was confirmed as 27th July 2016. Councillor Smillie gave his apologies for the meeting.

APPENDIX A

Agenda Item 25/16: Amendments to Financial Regulation No 11 to reflect the Public Contracts Regulations 2015

11. CONTRACTS

11.1 Procedures as to contracts are laid down as follows:

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
 - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
 - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 (“the Regulations”) which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations¹.
- c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)²

¹ The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

² Thresholds currently applicable are:

- a. For public supply and public service contracts 209,000 Euros (£164,176)
- b. For public works contracts 5,225,000 Euros (£4,104,394)

- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g. Any invitation to tender issued under this regulation shall be subject to Standing Orders No: 18 (Financial controls and procurement) and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below [£3,000] and above [£100] the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- i. The council shall not be obliged to accept the lowest or any tender, quote or estimate.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

12.1. Where contracts provide for payment by instalments the Clerk shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.

12.2. Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.