

Bulmer Parish Council

Minutes of the Bulmer Parish Council Meeting

Held on 21st September 2015 at the Village Hall, at 7.45pm

Present: Cllr. M.Crome, Cllr. C.Leigh, Cllr. C.Ponty, Cllr. S.Morgan, CCllr. Finch, DCllr. Scattergood; Mrs D.Jacob (Acting Clerk), 12 members of the public.

15/1 Welcome and Apologies for absence

The Chairman welcomed all those present. He also welcomed the new acting clerk, explaining that the previous had resigned due to personal issues. Apologies received and accepted from Cllr.Fulcher, Cllr.Buchanan and Cllr.Raymond.

15/2 Declarations of interest (existence and nature, with regard to items on this agenda)

Non-pecuniary declaration received and noted from Cllr.Crome relating to item 15/13 on the agenda.

15/3 Public Participation session with respect to items on the agenda and other matters that are of mutual interest. Statements/Questions from the public (15 minutes)

The Acting Clerk read out a statement of apology on behalf of the Parish Council to a member of public as follows:

“The Councils letter to Mr & Mrs Benns was based upon complaints which did not indicate the dog was off the lead, but the inference was it was not under control, this led to the view that was expressed in our letter. The council apologises for any misunderstanding this may have caused.

The council will continue to ensure the allotments are used for their intended purpose and all tenants can enjoy their time and effort on attending to their plots.”

This apology was made in good faith by the Parish Council to Mr & Mrs Benns. The apology was immediately rejected by Mr Benns.

- A petition was received, signed by thirty three residents of Bulmer.
- The perimeter around the allotments has always been used, never been an issue in the past, the public should have public access to the allotments.
- Residents do not agree to the proposed changes.
- Bulmer residents should go to the top of the list for allotment plots.
- Transparency code should be on the website.
- The hedge on the corner of Church Road, some parts have been cut, but some still remain uncut. (Acting Clerk was requested to contact Highways).

For the record this meeting was recorded by Mr Benns, which he informed will be published on the internet. No permission was requested or granted, but under current legislation this is permitted.

15/4 District Councillor Wendy Scattergood and County Councillor David Finch addressed the members and public.

DCllr.Scattergood had been in contact with the Essex Legal Team and it appears there is a muddling of concepts regarding land. Legal Order 1906 applies to open and public spaces. The dog fouling signs obtained and erected by Braintree District Council do not change ownership of the land. In order for the Parish Council to pass a motion to ban dogs from its land, it would need to seek and obtain a bylaw.

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CCllr.Finch had spoken to public rights of way. The allotments have been owned by the Parish Council for over 40/60 years. Dog fouling is not acceptable, dogs should be on a short lead and under control, and any fouling should be picked up, by the dog owner and placed in a dog litter bin. This is a Health & Safety issue especially on crops, more consideration is required by dog owners.

DCllr.Scattergood apologised for confusion regarding rubbish left out on wrong days and house numbering. Requested residents contact details in order to advise the resident concerned. Braintree District Council have organised a Planning Event, various venues and times, this has been circulated to Councillors. Cllr.Crome and Cllr. Leigh expressed an interest in attending.

DCllr.Scattergood explained about the Community Initiative funding available to local clubs, etc. CCllr.Finch spoke about the Scottish devolution and district councils centralised finances 73% of local government, working with district colleagues asking for greater financial support. The local government budget may have to put up council tax due to the higher proportion of elderly people. ECC currently have a team looking at vulnerable women and children from Syria, ready and prepared to deal with the numbers, although funding will need to be found for the next five years.

15/5 Approval of the minutes of the meeting held on 27th July 2015

Approval of the minutes was proposed by Cllr. Leigh and seconded by Cllr. Morgan, all in favour, resolution passed.

15/6 Matters arising from minutes

Item 1 – Coe's Meadow overflow car park (S106). The stakes have arrived to mark the edge of the overflow car park and Horsematting are due to commence installation shortly depending on the weather.

Item 2- Salt Bin. This has been received and will be installed.

15/7 Greenfields and affordable housing

Representative not present, deferred.

15/8 RCCE Representative

Representative not present, deferred.

15/9 Coe's Meadow

Item 1. No report this time due to awaiting ROSPA inspection, maintenance work required on climbing frame a new ladder required, also new goal nets required.

Item 2. Wildflower meadow cut, letter of thanks to be sent to the Stour Valley Volunteers, donation of £200.00 agreed to be sent, proposed by Cllr. Leigh, seconded by Cllr.Ponty, all in favour, resolution passed.

15/10 Allotments report

Due to current issues no report was made.

15/11 Proposed amendment of the Allotment Agreement and schedule with immediate effect and requiring new agreements to be issued.

I. Motion to amend clause 6.1 the Tenancy agreement to: "The tenant must at all times, during the tenancy, observe and comply fully with all enactments, statutory instruments, local and parochial or other bylaws, orders, regulations or schedules affecting the allotment site".

A new Tenancy Agreement to be submitted to all current and potential new allotment holders to be signed and returned. The Parish Council have tried hard for several years to working with allotment holders, in order to resolve unwanted dog fouling, but this is still an on-going issue and

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as such this resorted to signs being installed. Proposed by Cllr.Ponty, seconded by Cllr.Leigh, all in favour, resolution passed.

II. Motion to add the following clause 7.2 to the Tenancy Agreement: "When any tenant who gives up their allotment the Parish Council reserves the right to refuse an application for another one for a period of up to one year. This does not apply where a tenant is transferring to another allotment, reducing their plot size or taking on another plot".

The Parish Council will look at each case individually. Cllr. Morgan asked if in future plots would be split, eg smaller plots available, it was agreed smaller plots would continue to be made available. Proposed by Cllr.Leigh, seconded by Cllr.Morgan, all in favour, resolution passed.

III. clause 8 to the Schedule: "That the vacant western edge allotment (1A) will be the last to be allocated if there are other vacant allotments, to ensure the maintenance of Turnpike Piece is more efficient and effective".

It is difficult for the Parish Council to maintain/trim the unallocated plots, some more than others. Proposed by Cllr. Leigh, seconded by Cllr. Ponty, all in favour, resolution passed.

IV. Motion to amend Section 5.1 of the Schedule: "The tenant shall not bring or cause to be brought onto the allotment site any dog unless it is held at all times on a leash and remains on the tenants plot only. Any fouling to be removed and disposed of off the site by the tenant".

Current agreement states as above that a dog can be brought onto the site, but must be kept on a lead and remain with the owners allotment. Seek further advice regarding obtaining a bylaw, agreed by all, to be deferred until next meeting.

V. Motion to control dogs on the footpath across the allotments between Park Lane and the A131 "That no dogs be allowed anywhere on the allotments accept when a member of the public is using the footpath between Park Lane and the A131. The dogs must be on a lead and under close control at all times, any fouling of the footpath should be picked up and removed.

The Parish Council are trying to make the allotments a pleasant area for all residents to enjoy, to be deferred until next meeting.

VI. Allotment Association.

The Parish Council are keen for allotment holders to form an association. The Parish Council would help implement this. All agreed and the Parish Council will write to existing allotment holders, when the tenancy agreement has been adopted by the Parish Council.

15/12 Village Hall report

A report had been circulated by Cllr. Buchanan. A copy is also available on the website. Due to a change in Clerks, a request had been made to the village hall regarding a filing cabinet to be stored within the village hall, this request has been granted, but the Parish Council will need to insure it. Some files may have to be taken to the Essex Records office. Thanks expressed to the Village Hall.

15/13 Planning matters

- **Pending: 1 Vicars Orchard** Bulmer Essex CO10 7TB

(intent to carry out works to trees in a Conservation Area – Remove 2 Sycamore trees)

7 Vicars Orchard Bulmer Essex CO10 7TB (notice of intent to carry out works to tree in a Conservation Area - Remove 1 Flowering Cherry tree)

6 Vicars Orchard Bulmer Essex CO10 7TB (Notice of intent to carry out works to tree in a Conservation Area - Remove 1 Flowering Cherry tree)

Coes Meadow Bulmer Street Bulmer Essex (Notice of intent to carry out works to trees in a Conservation Area - Reduce the height of all trees by 4 foot)

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Middlecote Bulmer Tye Bulmer Essex CO10 7EB (Erection of single storey rear extension)

14 St Andrews Rise Bulmer Essex CO10 7TH (Erection of first floor rear extension and first floor side extension over existing garage)

- **Granted: The Robins Church Road Bulmer Essex CO10 7EL**(Reduce height and shape 1 Silver Birch by up to 30%)

Inglefield Bulmer Street Bulmer Essex CO10 7EW (Demolition of existing dwelling and erection of 2no. two storey dwellings, associated ancillary out-building and improvements to existing vehicular access.

10 Vicars Orchard Bulmer Essex CO10 7TB (Notice of intent to carry out works to trees in a Conservation Area - Fell 2 Norway Maple trees, 3 Lawson Cypress trees and 1 Sycamore)

- **New application: 1 Chapel Cottages Bulmer Street Bulmer Essex CO10 7EW** (Erection of two storey and single storey rear extension, alterations including new obscure-glazed window to side (SW) elevation. to be investigated by Cllr.Leigh

15/14 New Policy

Item 1. Data Protection Policy adopted.

Proposed by Cllr.Ponty, seconded by Cllr.Leigh, all in favour resolution passed.

Item 2. Information Commissioners Office – The Parish Council to register to be a member of this organisation as the Parish Council holds data under the data protection act (Approx 35.00 per annual subscription).

Cllr Morgan raised the question if the information changes, eg change of address details etc what would happen, the clerk explained, a letter would be sent to the information commissioner's office and they would update their records accordingly.

Proposed by Cllr.Morgan, seconded by Cllr.Leigh, all in favour, resolution passed.

15/15 Yellow Lines Application

The Parish Council are required to carry out a survey, to be deferred until next meeting.

15/16 Financial Matters

i) Balance in hand : A report was circulated and read out. Cheques were signed.

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The chairman would like to review the budget in each meeting at this point.

15/17 Clerks Reports

Item 1. Clerks report received and noted. Also available to view on the website.

Item 2. Previous Clerks overtime and expenses were agreed, 20 hrs extra overtime for allotment issues.

Proposed by Cllr. Leigh, seconded by Cllr. Morgan, all in favour, resolution passed.

15/18 Items for the next agenda

- Standing Orders (consider re-adoption)
- Financial Regulations (consider re-adoption)
- Transparency code
- White Line extension around the corner near The Fox along the A131.

15/19 Date of next meeting

Monday 16th November

Meeting closed at 8.46pm.

Signed.....
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