

The Annual Meeting of the Parish Council was held at 8pm in the Village Hall on Thursday, 23rd. May, 2002.

PRESENT

Mr. Dixon in the Chair, Messrs. Applegate, Draper, Parker, Wigglesworth and Williamson and Miss Waters. The Clerk and two members of the public were in attendance.

APOLOGIES FOR ABSENCE

There were no apologies.

ELECTION OF CHAIRMAN

Mr. Dixon was elected as Chairman and signed the Declaration of Acceptance of Office.

MINUTES OF THE PREVIOUS MEETING

The Minutes were signed as a true record of the Meeting held on 25th. April, 2002.

APPOINTMENT OF VICE CHAIRMAN

Mr. Draper was appointed Vice Chairman. Mr. Parker was thanked for his time in that post.

REVIEW OF PARISH COUNCIL REPRESENTATIVES

The posts were allocated as follows:

Association of Chelmsford District Parish Councils;	Clerk
Civil Emergency Planning	Clerk
Essex Association of Local Councils	Chairman & Vice
Footpaths	L. Draper
Hanna's Field Charity	P. Applegate
Independent Internal Auditor	Vacant
Member Responsible for Financial Monitoring	P. Waters
Mid Essex Community Health Council (or its successor)	P. Waters
Newsletter Editor (non elected post)	D. Sherry
Public Transport	A. Dixon
School Governing Body (non elected post)	B. Larkman
Village Maintenance	G. Parker

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

Statutory Code of Practice on the Duty to Promote Race Equality (MA p.150)
Information specific to parish councils is still awaited from NALC.

The Tye (MA p.150)

The laurel has now been cut back from the footway.

Village Tidy-up (MA p.150)

There was a turn-out of 11 volunteers. It was noted that four large sackfuls of rubbish were collected in Bicknacre Road. Mr. Applegate was thanked for organising the event.

EALC Councillors' Training Day (Cb p.151)

This was attended by Miss Waters.

Police Speed Checks (Cd p.151)

The Clerk is to ask again for a speed check through Chief Supt. Jeapes.

It was noted that traffic census had recorded an increase in traffic speed and a decrease in traffic numbers of 3%.

Inspector Macintosh (Ce p.151)

The dates of forthcoming meetings were sent to Insp. Macintosh, but there has been no reply.

New Audit Regime Briefing (Fa p.151)

This was attended by the Clerk and Miss Waters. There was emphasis on how much more responsible councillors will have to be for ensuring that checks are in place and that correct procedures are followed. On the matter of appointment of an independent internal auditor, EALC is currently looking into the issue of liability in order to find out whether an IIA would be liable if financial mismanagement took place which resulted in a parish council losing money and the IIA had failed to find the problem. This scenario is possible because the IIA examines systems and only sample expenditure/transactions.

Allotment Rent (Fd p.152)

The Chairman as borough councillor had spoken to the Head of Finance at CBC and received the £1 which had been deducted in error from the 2001/2 precept. This was passed to the Clerk.

Adoption of Code (NCOCa p.154)

The notice appeared in the Essex Chronicle on 17th. May, and is to appear again this week due to two errors. The notice was paid for by Highwood Parish Council, and PC will be billed in due course for about £22.

Registration of Interest (NCOCc p.154)

All forms have now been returned completed.

The Chairman has reported a common error in the completion of the form, in that some councillors are failing to include their home address as land in which they have an interest.

Vehicle Sales Old A130 (MfRa p.154)

The Chairman as borough councillor reported that he had ascertained the date of the appeal hearing.

Footpath Leaflets (MfRc p.154)

Mr. Draper reported that the date for the new definitive map to be issued is December 2002. There is now 100% grant available towards the production of the leaflets. He is going to meet a representative from PPP in a fortnight and proposes to proceed with the leaflets. It was agreed that production of the leaflets should not be delayed any further as the issue of the definitive map had been scheduled and delayed several times already and there was no certainty that it would be issued in December.

CORRESPONDENCE**a) EALC AGM**

It was agreed that the Chairman and Vice Chairman should attend the EALC AGM on Wednesday, 26th. June at Foakes Hall Great Dunmow.

b) Mr. & Mrs. Steward

Mr. & Mrs. Steward who had carried out a traffic count in East Hanningfield Road, Howe Green on 22nd. April and noted 1057 traffic movements between 0700 and 0900. They claim that the new A130 has turned a rat run into an improved rat run.

It was agreed that the Clerk should respond acknowledging their letter and saying PC is just as concerned as they.

FINANCE**a) EALC Planning Conference 6th. July**

It was agreed that Mr. Draper and Miss Waters should attend the Conference, the fee being £35 each.

b) Jubilee Celebration Picnic

It was agreed that PC should pay the rent for the Village Hall for the event. The cost will be £40.

c) NALC National Conference 14-16th. June

There was no interest in attendance at the conference.

d) Payments

The following cheques were signed:

To	NET £	VAT £	Total £	Explanation	Power
Premier Transline Hire	95.34	16.68	112.02	May portacabin hire	Local Govt. (Misc. Prov.) Act 1976 S19
Fordham Johns	911.00	159.42	1070.42	Interim invoice No. 3	Local Govt. Act 1972 S111
Hanna's Field Charity			125.00	Preschool rent 1 st . half of summer term	LG (MP) A1976 S19
R. Harvey			56.00	Groundswork	Open Spaces Act 1906 S10. Highway Act 1980 S96(5)
The Printing Place			198.00	Summer Newsletter 2002	LGA 1972 S142
K. Plumridge			559.59	May salary etc & reimbursements	LGA 1972 S112
E.A.L.C.			70.00	Planning Conference	LGA 1972 S111

The following receipt was noted:



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From	To Account	Amount £	Explanation
Chelmsford Borough Council	Current	1.00	Refund of deduction in error

PLANNING.

02/00332/OUT The Bungalow, The Tye (demolition of bungalow and construction of replacement house);

PC had no objection in principle to the development of the site, but noting that this is an outline application, will consider a full application on its merits having special regard to the need for the hedges to be retained, as the site is within the conservation area; for the ridge height to be no higher than the neighbouring dwelling to the north; and for the new dwelling to be of a size in sympathy with the neighbouring house to the south.

02/00925/FUL Land Adjacent 19 Ashley Green (erection of a 4 bedroom house with access and garage

PC had no objection to the proposed house, but wished to register its concern over the safety of having the road access on the inside of the bend in the road.

02/00780/FUL 15 Highfields Mead (amended application for extension to kitchen & dining room adding a bedroom and reception room and a 2.5m wall to perimeter).

PC objected to the proposed 2.5m wall in such a prominent position in the street. The wall would be detrimental to the street scene with no opportunity for ameliorating screening with planting.

VILLAGE HALL EXTENSION PROJECT

a) Progress to Date

Building Regulations approval has been received.

HFC awaits a formal request to agree the finalised plans. Plans showing the final changes have not been received from CTB. HFC has been provided with the CTB summary of quotations. HFC Executive has considered the desirability of going for Option 1 (the first floor extension) from the start and believe that it would be more cost effective and provide the Charity with more usable space to do so. Accordingly their recommendation is to go ahead with Option 1. In order to achieve this the funds which are currently earmarked for the sports field maintenance, car park resurface, playground update and hall floor replacement will have to be reallocated, which might result in the postponement of some or all of these planned improvements until further fund raising has been completed.

It was agreed that CTB should be instructed to prepare plans for Option One suitable for a planning application.

b) Builders' Quotations

Only Alexander and Law, Oakwood and Dudley Anderson provided cost breakdowns as required and were therefore compliant. CTB had queried certain aspects of the Oakwood quotation and these had been confirmed as compliant.

The Clerk advised that if the funding is to be covered immediately by drawing down a large enough loan to cover the shortfall, then it would be feasible to instruct Oakwood, the lowest quotation, at this point. If alternative sources of funding are to be pursued, then it would be

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wise to nominate two favoured builders, to be reasonably sure that one would be available when PC is ready to proceed.

It was agreed that Oakwood is the preferred builder but there should be no appointment at this time, as funding is not adequate.

It was also agreed that the cost of internal finishes that could be completed by volunteers should be identified.

c) Funding

Loans being taken up currently for a period not exceeding 25 years are attracting an interest rate of 5 3/8%. From the table of repayments it is possible to calculate repayments for 5 1/2% as follows.

Amount borrowed	£40,000	£50,000	£60,000	£70,000	£80,000
Annual Repayment	£2,963.28	£3,704.09	£4,444.91	£5,185.73	£5,926.55
D Band tax payment	£6.49	£8.11	£9.74	£11.36	£12.98
Amount beyond budget per D Band property (this year)	00	£1.62	£2.25	£4.87	£6.49

Repayments will be set when the loan is drawn upon and will be subject to the interest rate prevailing on that day, so calculations in advance cannot be accurate. The fee for a loan, payable in advance is calculated at 35p per £1,000 borrowed, with a minimum fee of £25. For this financial year PC budgeted for £3,322 in loan repayments (£40,000 loan) for the Hall project, and increased the reserve for the project to £11,500. The Clerk advised that the PC reserve for the project should be used as a reserve for contingency (10-15% of project) and to help cash flow as VAT will have to be paid although it will be reclaimed.

Cameron Taylor Bedford (formerly Fordham Johns) are expected to charge in the region of £1,450 for the building stage of the project. This was not a separate budget item in the budget for the forthcoming financial year. CTB quoted £4,450 for the design work up to the point of going out to tender, plus £1,450 for contract procurement and project administration, and £450 for client agent duties. So far CTB has charged £3,560 (paid), £131 CBC Building Regs. Fees (paid), £890 (to be paid at this meeting), Meridian Soils £21 (to be paid this meeting).

The cost of keeping the portacabin on site is £95.34 per month and has not been budgeted for into the new financial year.

Budgeted reserves for the end of this financial year were calculated at £11,500.

The CBC grant is for £12,000. The process is that 50% of the grant will be paid when 50% of the work has been completed and the remainder on completion. This means that cash flow might be a problem.

Existing Loan Repayments are as follows:

	Ist Field Repayment	2nd Field Repayment	1 st . Hall Repayment	2 nd . Hall Repayment	Total in Year
2002/3	248.36	248.36	2766.10	2370.94	5633.76
2003/4	246.94		1975.78	1580.63	3803.35
2004/5			1185.46	790.31	1975.77
2005/6			395.16		395.16

The following sources of grants were considered:

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- Essex Environment Trust: The deadline for grants to be considered at the forthcoming meeting in June is this weekend (officially Friday). Advice is that there are a great many applicants and some will be disappointed. The next grant meeting will be in September, but if work has already started on the building no grant will be forthcoming. The Trust will not make grant towards the shop element of the extension. A great deal of information is required from the Village Hall management for the application form and it might not be possible to complete it in the time available. It was agreed not to apply for this funding.
- Essex County Council: ECC has asked for the application forms to be completed again with the up to date information and costs. This will not count as a new application. It was agreed to update the application.
- Countryside Agency: The CA is prepared only to fund the shop and its storage area, so these costs must be isolated. The applications for funding of the building and fittings must be made as one application, and a consultant, who is paid for by the Agency, will help complete the application form, advise on layout, stock etc. and help prepare a business plan (a requirement of the grant). The Clerk has asked whether it is necessary for this to be done with the person who is going to run the shop as this person is presently not identified. It was agreed to apply for funding towards the shop build only.
- Carnegie Trust: Will grant towards shop fittings only. It was agreed that this should be left to the manager of the shop.
- The Sub Post Office Start Up Capital Scheme: It was agreed that this should be investigated by the Clerk.

It was agreed that the Clerk should prioritise the funding applications above other instructions and regular actions.

THE THREE HORSESHOES PUBLIC HOUSE

A letter had been received from Eversheds, solicitors acting on behalf of the Unique Pub Co. The following points were raised:

- Mr. Wyles had asked Eversheds to demonstrate that the hatched area on the map of the registered village green is not subject to the byelaws. A reply was sent with copies of correspondence to the Three Horseshoes management and Mr. Wyles demonstrating that PC has always stated that the hatched area is not subject to the byelaws. This has now been admitted by Eversheds.
- Mr. Wyles had asked Eversheds to demonstrate the extent of the land owned by the Unique Pub Co. This comprised a copy of the registration at the Land Registry which shows part of the Tye up to the track between Scarles Croft and the Church as part of the Three Horseshoes premises. A reply was sent that the owners of the pub were unable to prove ownership to the Commons Commissioner, and Lord Petre has said that he has not sold any part of the Tye.
- The entry in the Register of Village Greens has been changed to comply with the entry at the Land Registry. The Clerk has informed Lord Petre, and has written to the County Secretary with copies to Lords Hanningfield and Petre asking whether any information was provided, when the request for amendment was made, with regard to the pathway of ownership from Lord Petre to the Unique Pub Co. because Lord Petre assures PC that he has not sold any part of it.



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- A letter from ECC Corporate Services to Eversheds states i) that the County Council has no interest for responsibility concerning the maintenance of the village green, ii) that the parish council has no right to give permission to do anything which contravenes the Inclosure Act 1857, and iii) the parish council has no right to make byelaws relating to a registered village green.
- The County Council officer who wrote the letter has been asked to explain the remark about the Inclosure Act because if the A board is in contravention of the Act, then of course, PC cannot give anyone permission to break the law, but PC can give permission to do something which it is permitted to allow under the byelaws. The officer was also informed of the power under which the Parish Council adopted the byelaws and that they were written with the advice of the Home Office and confirmed by the Secretary of State.
- The response to Eversheds on this matter was that PC is proposing to waive a byelaw but if the advice is that the A board on the registered village green would be against the law then the management of the Three Horseshoes should be so informed. In light of this suggestion PC would not be proceeding with the agreement. Also, Eversheds were informed of the process by which PC made the byelaws. Eversheds have now responded that they were not suggesting that an A board on the Tye would be in contravention of the Inclosure Act, but a response is awaited from ECC.
- A letter has been written to EALC with a request it be forwarded to NALC regarding PC's position in this matter, because of the documentation, however incorrect, which indicates that the Unique Pub Co owns part of the Tye, and how PC stands with regard to maintenance and with regard to its property standing on the disputed land. NALC's advice is that PC may maintain the green with the agreement of the owners.

The Clerk advised that no decisions as to further action should be made until a response have been received to the request for information from ECC. Should the County Council officer come back with a response that the A board would not be in contravention of the Act then it would not be unreasonable to proceed with the agreement as previously agreed.

It was agreed that PC should continue to maintain the registered village green, by mowing and groundwork, until requested not to do so by the registered owner.

**CONSULTATION: CHELMSFORD BOROUGH COUNCIL DRAFT
SUPPLEMENTARY PLANNING GUIDANCE – AFFORDABLE HOUSING**

It was agreed to send a supportive response to the consultation.

MATTERS FOR REPORT

a) Grit Bin at Great Gibcracks

It was noted that the damaged bin has been removed, but not replaced. The Chairman as borough councillor has asked CBC to replace it and will follow up his request.

b) Pan Lane

It was noted that the rubbish has been removed.

The Chairman as borough councillor undertook to report the damaged chevrons to CBC.

c) Grass Cutting

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It was noted that some hand finishing needs to be done. The Chairman reported that Mr. Harvey had been ill but was now catching up with the work.

The Chairman reported that he had instructed Mr. Harvey to cut back the weeds growing across the Tye path from the base of the hedge at the former Post Office Stores. The Clerk stated that this work was not on the Schedule of Groundwork and that PC should not be tidying peoples' gardens.

d) Truck – Village Hall Car Park

HFC had identified the owner of the burned out truck. He arranged for its removal by his insurance company.

e) Public Transport Liaison Meeting 29th. April

The Chairman reported his attendance. Danbury PC's grant application for the Rural Bus Fund had been turned down by the Countryside Agency.

f) Diamond Service

The Chairman continues to complain to the bus company about early running, wrong destination on front of bus etc. Copies of the new timetable have been delivered house to house.

There being no further business the Meeting closed at 10.23.



Chairman

27th June, 2002

A Meeting of the Parish Council was held at 7.35pm in the Village Hall on Thursday, 27th. June, 2002.

PRESENT

Mr. Dixon in the Chair, Messrs. Applegate and Parker and Miss Waters. Inspector Chris Macintosh, Pc Ashley Wall and the Clerk were also in attendance.

APOLOGIES FOR ABSENCE

Apologies for absence were received and accepted from Messrs. Draper, Wigglesworth and Williamson.

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

Police Speed Checks (MA p156)

The Chairman reported that he had obtained the traffic census information and would put it into circulation. As borough councillor he had requested the detailed speed information, and was pressing for traffic calming measures by ECC via CBC.

The Clerk was instructed to write to ECC engineer Lee Cornwell about the urgent need for traffic management measures in the village.

The Chairman reported that the police are to put down tapes on the Bicknacre Road and Rettendon Road entrances to the village in order to collect data. Enforcement action will be taken should the data prove a need.

EALC AGM (Ca p.157)

The motion from Leigh on Sea Town Council urging NALC to re-open discussions with the Audit Commission with a view to finding a system of audit which meets the objectives of the New Lighter Touch Regime was carried without dissent. EALC's website is ready and awaiting confirmation of the address. The Meeting agreed to the proposed increase of 5% in affiliation fees for the year 2003/4. The Secretary is pressing NALC for action on the matter of insurance cover for councillors which was the subject of a resolution at the previous EALC AGM.

02/00780/FUL 15 Highfields Mead (P p.158)

The application to which PC objected because of the 2.5m boundary wall was approved by delegated decision.

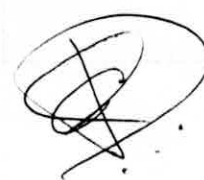
THE THREE HORSESHOES PUBLIC HOUSE (p.160)

Two A boards have been placed on the registered village green.

The Clerk was instructed to write to all the parties concerned with the public house that the management asked for one board; that they have exceeded the agreement to which PC had agreed in principle; that PC is awaiting legal advice from ECC concerning the situation; and that if they do not remove the second board PC will not proceed with the agreement for the siting of the first board.

Grit Bin at Great Gibcracks (MfRa p.161)

This should have read *South Gibcracks*. The Chairman as borough councillor has reported this matter to CBC and followed it up.



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Pan Lane (MfRb p.161)

The Chairman as borough councillor reported that new chevrons have been ordered by CBC.

Grass Cutting (MfRc p.161)

The Chairman reported that Mr. Harvey is still catching up after his illness.

CORRESPONDENCEa) Tennis Coaching

It was noted that tennis coaching for children aged 6-14 years has been arranged for 6th. August from 9.30am until noon through Chelmsford Borough Council. The cost will be £35 plus VAT.

b) RCCE Understanding Community Consultation

It was agreed that Miss Waters should attend the Rural Community Council of Essex's *Understanding Community Consultation* on Saturday 20th. July 9.30am – 1pm at Leaden Roding Village Hall. Attendance is free.

FINANCEa) Independent Internal Auditor

It was noted that it is the view of the Audit Commission that independent internal auditors do not (at this time) need professional indemnity insurance, as they will not be held to have failed in their duties should fraud be established later. EALC is compiling a list of people prepared to undertake internal audits for local councils. Miss Waters reported that a parishioner had approached her about the role of internal auditor.

b) Payments

The following cheques were signed:

To:	NET £	VAT £	TOTAL £	Explanation	Power
MD Landscapes	216.30	37.85	254.15	Mowing 6/4, 18/4, 9/5.	Local Govt.(Misc. Prov.) Act 1976 S19(3a), Open Spaces Act 1906 S9(b)
Highwood Parish Council			21.80	Notice of Adoption of Code of Conduct	Local Govt. Act 2000
H & P Stebbing	957.50	167.57	1125.07	Noticeboard	Local Govt. Act 1972 S142
Hanna's Field Charity			40.00	Village Hall Rent for Jubilee Picnic	Local Govt. (Misc. Prov.) Act 1976 S19
MD Landscapes	216.30	37.85	254.15	Mowing 25/5, 6/6, 20/6.	LG(MP)A 1976 S19(3a), OSA 1906 S9(b)

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Premier Transline Hire	95.34	16.68	112.02	June port-a-cabin hire	LG (MP) A 1976 S19
Inland Revenue			72.90	PAYE April-June	Local Govt. Act 1972 S112
K. Plumridge			512.86	June salary, office allowance & reimbursements.	Local Govt. Act 1972 S112
R. Harvey			115.50	Groundwork	Open Spaces Act 1906 S10. Highways Act 1980 S96(5)

The following receipts were noted:

From	To Account	Amount £	Explanation
P Probert	Current	6.00	Newsletter Advertising
Baddow Plumbing Services	Current	20.00	
East Hanningfield Motor Co.	Current	20.00	

PLANNING

02/01142 Little Claydons Farm, Old Southend Road, Howe Green (extension to existing turkey breeding and preparation building, including the provision of staff toilets, canteen and offal storage refrigerator).

There was no objection to the application

02/01233/FUL Ridings, The Common (two storey rear extension, alterations of detached double garage [renewal of planning approval 97/CHL/0573 granted 23/6/97]).

There was no objection to the application.

02/01253/FUL Land Adjacent Foxley End, Tile Works Lane, Rettendon Common (retention of residential security lodge).

PC asked for a temporary permission to be given to the retention of the temporary building. The site is in the green belt and PC would not support a permanent dwelling there, with the potential to be developed beyond the needs of the site.

02/01254/FUL Land Adjacent Foxley End, Tile Works Lane, Rettendon Common (retention of industrial estate security office).

PC asked for a temporary permission to be given to the retention of the office, to ensure it does not remain beyond the requirement for its present use, at this site in the green belt.

VILLAGE HALL PROJECT

a) Update on Funding Applications

- The CBC grant is available until the end of the financial year.
- The ECC grant has been updated and is going through the system. The Chairman has asked Lord Hanningfield to follow it up and the word is that it is unlikely to be successful because the application came from PC and not the Charity. The Chairman is to investigate whether a grant could be made to the Charity but paid direct to PC.



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- The Post Office Start Up Scheme is intended for fitting out, but the project is now eligible because Mr. Singh has stated his intention of taking on the role of sub post master permanently.
- The Countryside Agency Vital Villages funding application is underway. A meeting has taken place at the post office between Lydia King of the Post Office L. Chamberlain the CA consultant and the Chairman. Mr. Singh completed the business plan and it has been sent off. The CA will send an answer within 15 working days. They will give an advance of 25%.

b) Letter from Hanna's Field Charity

The Charity raised the following seven points:

1. As yet the Hanna's Field Management Committee has not received a formal Parish Council request for the project to go ahead. Attention to these details will ensure that there are no grounds for misunderstanding at a later date, either between ourselves or the Charity Commission.

PC Response: the Clerk was instructed to write to HFC to formally request that the project may go ahead.

2. As Hanna's Field Charity understood that the Parish Council is awaiting detailed plans regarding Option One (first floor extension). The Charity will not allow building work to commence until detailed planning permission has been approved for Option One. We do not want to be in the position where building work has started on the basis of single storey planning approval, only to find that the second storey plan has been compromised. Additionally, once a contract for a single storey building is signed with the contractor it will be more difficult to negotiate a firm fixed price for Option One.

PC Response: it was agreed that a planning application should be submitted immediately for Option 1, the extension with the upper floor, and in order to progress the matter quickly the following cheque was signed:

To	NET £	VAT £	TOTAL £	Explanation	Power
Chelmsford Borough Council			110.00	Planning Application	LG(MP)A 1976 S19

3. We have assurances from Fordham John that the Charity's comments on the last revision of the plans were incorporated before the plans were issued to builders for the final quotes. The Charity however has not received any reworked copies and the Committee would like these before the builder is contracted. It is important to confirm what the builder has contracted to do.

PC Response: HFC is to be given a copy of the Oakwood quotation.

4. We have concerns as to the rigour of enquiries into the work of the preferred builder, Oakwood, and we would like assurances of his reliability and sight of some of his work. We think that references need to be obtained before Oakwood, or any builder, is contracted and the Charity Committee would like to be party to this information.

PC Response: the Chairman has requested references and identification of sight of similar work.

5. The Charity must have clarity with regard to the costs that it will incur. We believe there is an extra CBC fee to amend the planning permission for Option One. We need to

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know who is covering the cost that was incurred because of the Parish Council's decision to go ahead with the single storey planning application. The Charity's intention was to build a two-storey extension, if affordable.

PC Response: the Parish Council has agreed to pay the fee.

6. There needs to be consideration given to the Post Office lease arrangements. This will need to be discussed in the near future so that it can be clearly stated in loan and grant applications. The Charity would like to propose that the Charity grant the lease to the Parish Council who can then sublet to the Post Office, in much the same way as the present port-a-cabin arrangement works. The Charity has to remain in accord with the Charity Commission guidance and to take account of its voluntary status and limited resources for the management of the existing facilities, never mind additional ones.

PC Response: There needs to be a meeting with HFC as soon as possible to discuss this and other matters. Mr. Applegate undertook to arrange such a meeting.

7. The Charity needs to be kept informed of timescales for the building programme so that matters of letting the Hall can be attended to, and hirers kept informed.

PC Response: the Charity will be kept informed.

c) Letter from Cameron Taylor Bedford

CTB have said that plans for Option 1 were not in the scope of work for which they quoted and in view of the fact that the original fee proposal is now 15 months old their fee for the required additional work is now offered at £3450 & VAT. No allowance has been made in this figure for additional planning or building regulations fees and they assume that PC will pay these direct. They have also assumed that the revised documents will be forwarded to Oakwood Developments to enable their Option 1 price to be confirmed and no allowance has been made for a full re-tender.

The Clerk has written stating that it is not the understanding of the authors of the Requirement Specification that plans for Option 1 were not in the scope of work for which CTB quoted; also asking for confirmation of what CTB think they have been instructed to do; and to confirm whether the price for the management of the building construction is still valid and if not what is the rising cost escalation factor.

d) Cost of Internal Finishes as Requested at the May Meeting

Oakwood Quotes:

DECORATION (Post Office)	£1,620
DECORATION (General Areas)	£1,785

DELEGATION OF DECISION MAKING

It was agreed that this matter should be an Agenda Item for the next Meeting and that it should be early on the Agenda

CONSULTATION:- NALC DRAFT DEVELOPMENT STRATEGY 2002

It was agreed that the Clerk should send a response concerning the promotion of youth councils, which are only viable in areas of high population, and the need for young people to be taught about local democracy at school.

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RACE RELATIONS (AMENDMENT) ACT 2000**a) The General Duty**

It was agreed that the Council acknowledges the general duty placed upon it by the Race Relations (Amendment) Act 2000. The Council will continue within its functions and policies to have due regard to the need to eliminate discrimination, promote equality of opportunity and promote racial equality between people of different racial groups.

b) Assessment of Council's Functions

It was agreed that a list of PC's functions should be drawn up so that each may be assessed with regard to relevance to the Act.

CONSULTATION:- CONDUCT OF COUNCILLORS - LOCAL INVESTIGATION AND DETERMINATION OF MISCONDUCT ALLEGATIONS

The Clerk was delegated to construct a response from councillors' written comments.

MATTERS FOR REPORT**a) Southend Road**

Miss Waters is to tell the Clerk the name of the bungalow which has been extended so that the Clerk can investigate whether planning permission had been obtained.

b) Waste Transfer and Recycling, Morelands Industrial Estate

RCL Skips and Grab Hire were refused planning permission but are still active. They have six months from the date of approval to appeal.

c) Borough Council Grass Cutting

The Chairman has obtained the information necessary to discuss the possibility of PC taking on the grass cutting in the village. This will be an Agenda item for the July Meeting.

d) School Chase

It was noted that some pot-holes have been filled but there are some remaining.

e) Play Equipment

A recent ROSPA report on the play area has recommended the replacement of the three PC owned items of equipment within twelve months. The Clerk is to obtain a copy of the report for circulation. This matter is to be brought back as an Agenda item in time for the budget process.

There being no further business the Meeting closed at 10.54.


Chairman

25th July, 2002

A Meeting of the Parish Council was held at 8pm on Thursday, 25th. July 2002 in the Village Hall.

PRESENT

Mr. Dixon in the Chair, Messrs. Applegate, Draper, Parker, Wigglesworth, Williamson and Miss Waters. The Clerk and four members of the public were in attendance.

APOLOGIES FOR ABSENCE

There were no apologies.

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

Police Speed Checks (MA p.163)

The census results have yet to be circulated. The Chairman has additional census information but is awaiting interpretation before circulating it. He reported that the traffic calming on the old A130 is about to take place, and then the next stages would be designed and East Hanningfield would probably be given priority. The Police speed checks using tapes across the road will be carried out when man-power is available.

RCCE Understanding Community Consultation (Cb p.164)

Miss Waters reported that the event had been cancelled due to lack of interest but would be rescheduled to the end of the year.

School Chase (MfR p.168d)

The Chairman has reported the pot holes.

CORRESPONDENCE

a) Chelmsford Borough Local Plan 2001-2011 Deposit Draft

The Chelmsford Borough Local Plan 2001-2011 Deposit Draft proposed amendments have been received and are to be circulated.

b) Statutory Code of Practice and Non-statutory Guides for Public Authorities on the Duty to Promote Race Equality

The final version of the Statutory Code of Practice and Non-statutory Guides for Public Authorities on the Duty to Promote Race Equality has been received and is to be circulated.

c) County Council Best Value Performance Plan

The County Council has published its Best Value Performance Plan, covering details of the Council's performance during 2001/02 and its targets for 2002/03 and beyond. The Clerk was instructed to request a copy.

d) The Tye

The response from ECC Legal Services Division to Clerk's letter concerning the Tye was as follows:

It is my view that Section 12 of the Inclosure Act 1857 gives the Parish Council, as overseer of the land, authority to take action in the Magistrates Court. The outcome of which, if successful, would be a fine. This section also authorises the Parish Council, again as overseer of the Village Green, to remove any obstruction. Whether the Council



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wishes to pursue any of these courses of action is entirely a matter for the Council. The Parish Council could certainly prosecute for every occasion the obstruction is placed on the Village Green. However, for this to succeed you would of course, require the appropriate level of evidence. This in my view, is probably the most appropriate way to deal with this matter. However, this is purely a matter for your Council to decide.

With regard to the boundary of the Village Green the register and accompanying map is conclusive evidence. However, the map is on a small scale and if there is any doubt, it is inevitable that there will be an element of interpretation. In such cases the physical characteristics on the ground would also form part of the decision as to whether or not the land was registered.

I would reiterate that the Parish Council has no authority to give permission for anything which would interfere with the Village Green. If the local bylaws are in conflict with statute then statute will prevail.

The Clerk reported that she had not written to the Three Horseshoes as instructed at the last meeting because the second sign had been removed and the letter from ECC had arrived before she had had the opportunity to write. There was a discussion concerning the banner, gazebo, second A board and ambulance that had been on the village green for the bike event on 14th. July. Three bollards had been displaced and had had to be re-erected, and an A board had obstructed the footway. It was concluded that the management of the Three Horseshoes had not complied with its own suggested arrangement that one A board be allowed to be sited on the Tye, and could not be relied upon to do so in future. It was agreed therefore, that the Clerk should write to Mr. Cox, with copies to the manager and Unique Pub Co, telling him to remove all the public house's furniture from the registered village green. In addition the Clerk is to investigate the costs of prosecution, and write to the organisers of the bike event about the ambulance.

FINANCE

a) Telephone Answering Machine

It was agreed to reduce the valuation of the telephone answering machine to nil, as the machine is life expired.

b) White Noticeboard

It was agreed to reduce the value of the white notice board to nil, as the replacement has now arrived and will be installed shortly. The Clerk reported that Mr. Harvey had told her he would be unable to install the noticeboard because the installation required two people. Mr. Draper and Mr. Wigglesworth offered to assist Mr. Harvey. The Clerk is to inform Mr. Harvey.

c) Pre-School Rent

A request was considered from East Hanningfield Pre-school for a continuation of the current rate of £250 per term subsidy for rent of the Village Hall. Hanna's Field Charity has given Pre-school notice that the rent will rise to £384 per term from Sept. 2002 and to £500 in Sept. 2003. The Preschool feels that it can afford to pay the additional £134 per term as numbers are quite strong at present.



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It was agreed that PC should continue to pay £250 per term for the academic year beginning in September 2002, and that the Clerk should request a copy of the Pre-school accounts.

d) Payments

The following cheques were signed:

To	NET £	VAT £	Total £	Explanation	Power
Premier Transline Hire	95.34	16.68	112.02	Portacabin Hire - July	Local Govt. (MP) Act 1976 S19
Canon (UK) Ltd	13.65	2.39	16.04	Copy charge	Local Govt. Act 1972 S111
Hanna's Field Charity			125.00	Preschool rent 2 nd . half of summer term	LG(MP)A 1976 S19
K. Plumridge			552.89	July salary, office allowance, expenses and reimbursements	LGA 1972 S112
R. Harvey			105.00	Groundwork and village maintenance*	Open Spaces Act 1906 S10. Highway Act 1980 S96(5)

*It was noted that Mr. Harvey has again strimmed along the bottom of the hedge in front of the former PO garden, so thinks, having been told to do it once, that it is part of his schedule, which it is not. Strimming along the front of one householder's property favours that householder who should be doing the work as all the others do, and sets a precedent. It was agreed that Mr. Harvey should be told that he should no longer work on that piece of ground.

The following receipts were noted:

From	To Account	Amount £	Explanation
Barclays 03/02	Deposit	44.96	Quarterly interest
Barclays 06/02	Deposit	33.17	Quarterly interest

PLANNING

a) The following planning applications were considered:

02/00925/FUL 19 Ashley Green (erection of 1 No. 4 bedroom dwelling with access and garage)

The amendments to the design have not changed the Parish Council's view that the proposed vehicular entrance would be dangerous on this bend in the road. The Parish Council is concerned that the roof height should be no higher than that of the neighbouring houses in order for the proposed house to be compatible in the street scene.

02/01321/FUL Fairview, Bennetts Avenue (2 single storey side extensions)

(Correspondence concerning this application had been circulated.)

There was no objection to the application.

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02/01381/FUL Hanna's Field, (extension to existing village hall)

The Parish Council supported the application.

02/01388/FUL Windmill Cottage, Back Lane (single storey side extension).

(Correspondence concerning this application had been circulated. The Chairman advised the Council that the personal circumstances of the applicant were not a planning issue.)

The Parish Council objected to the proposed extension because it believed the extension would not comply with policy applying to the countryside outside the defined settlement boundary.

02/01479/FUL Appledore, Bicknacre Road (two-storey side extension)

The objections the Parish Council made to the previous application for an extension at this site still apply (01/180/FUL), that is that the side extension would result in the loss of on-site parking and concern was expressed that the privacy of the neighbouring property should not be compromised and with the dominance of the proposed extension over the neighbouring bungalow. In addition the Parish Council is uncomfortable with the new fenestration and asks for all side facing windows to be glazed with obscure glass and notes that there is now parking in the road associated with this property.

Mr. Applegate declared a prejudicial interest in the following application and left the Meeting.

02/01481/FUL 24 Bicknacre Road (two storey rear/side extension)

There was no objection to the application.

Mr. Applegate returned to the Meeting.

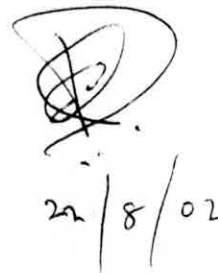
b) Consultation on a telecommunications prior approval determination application02/01377/TEL56 National Grid Pylon 4VBO36 Land North West of Corrina, Southend Road, Howe Green (erection of 6 no. antenna, 0.6 metre dish, 10 no. equipment cabinets and ancillary development.)

The Parish Council supports the principle of using existing structures for the installation of telecom equipment in order to prevent the installation of new additional poles in the countryside.

c) Appeal:APP/W1525/A/02/1094328 Units 21-22 Morelands Industrial Estate, Tileworks Lane (Refusal of planning permission for waster transfer and recycling, use of Trommel 620 Mobile Recycling Station and overnight parking for 6 waste collection vehicles)

The Borough Council refused permission for the following reasons:

1. The application site lies within the Metropolitan Green belt outside any Defined Settlement, and outside any area allocated for industrial development within Chelmsford Borough Local Plan. It is considered that the proposal to use the application site as a waste transfer station with associated delivery and collection vehicles is unacceptable in that it would have a damaging effect on both the surrounding countryside and on the amenities of local residents who reside in the locality. The proposal is moreover contrary to Policies C2, WM3 and NR6 of the Essex and Southend on Sea Replacement Structure Plan and Policy EMP1 of the Chelmsford Borough Local Plan.



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2. The proposal to use the application site as a waste transfer station with associated delivery and collection vehicles is considered contrary to Policies T1, T3, T7 and T13 of the Essex and Southend on Sea Replacement Structure Plan.

CBC listed the following policies as having been taken into account in deciding the application: ERC2, ERWM3, ERNR6, EMP1, ENV10.

The Chairman admitted that he had wrongly advised PC that the site was in the area allocated for industrial development. Miss Waters respectfully reminded him that he had also wrongly advised PC that the lorry movements were not a matter for consideration.

It was agreed that the Clerk should write to the Planning Inspectorate in support of the Borough Council's refusal of the application.

DELEGATION OF DECISION MAKING

The statute relevant to this topic is the Local Government Act 1972 Section 101, which states that a local authority may arrange for the discharge of any of their functions (delegate) by a committee, a sub-committee or an officer of the authority; or by an other local authority. Case law has concluded that, because this does not include councillors, they cannot be given delegated powers. The Case, known as the *Hillingdon Case*, involved a Chairman of a planning committee authorising enforcement proceedings.

The Code of Conduct (Part 1 Paragraph 5(b)(i)) states that a member must, when using or authorising the use by others of the resources of the authority, act in accordance with the authority's requirements. Mr. Harvey's time, being paid for by PC, is a resource of the Council and should be used as directed by the Council in the Schedule of Groundwork.

In terms of finance, the Council should not pay for a service which it has not authorised, but it would be unfair to withhold payment from Mr. Harvey for work that he had undertaken in good faith. This is the area where the auditor might take the Council to task and which could ultimately result in huge audit fees if an investigation took place. For this reason, PC has to make sure that its procedures are correct and seen to be correct.

It was agreed that the Groundwork Schedule should be re-appraised at the next Meeting and should therefore be an Agenda item.

It was also agreed that members' individual responsibilities should be considered in the light of the inability of PC to delegate decision making to individual members.

VILLAGE HALL EXTENSION PROJECT

a) Clerk's Report on Progress

The Chairman submitted planning application for two storey extension on 1st July. He reported that the planning decision should be made at the beginning of August.

A letter was received from ECC saying that PC is not eligible for a grant as they do not have charitable status. HFC appear to meet the criteria and would be entitled to apply for grant as long as they are the ones running the village hall. They asked for a copy of the HFC constitution, a colour copy of the map attached to the Conveyance of the land between the Writtle Brewery Co and PC, a copy of a letter of permission to sell alcohol from the brewery, and a copy of confirmation of funding from CBC and HFC. They noted that the application for grant includes a second storey for which there is no planning permission and ask whether a further application is to be made. Clerk has replied providing a copy of the Trust Deed which is



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the constitution, a colour copy of the map attached to the Conveyance, and a copy of the letter from CBC. Clerk stated that there was no intention to sell alcohol, that HFC would be confirming their contribution in writing later, and that a planning application for the two storey extension has been made. ECC has acknowledged receipt of this information and has passed the information to Legal Services and the County Treasurer, noting that PC awaits clarification of the projected costs from the builder and that Property Services will require two sets of the plans, for comment, as soon as they are available.

A meeting with HFC was held on 5th. July. The following actions were agreed:

- Clerk to ask for written confirmation from the builder as to whether his price for Option 1 was firm fixed, the time the prices quoted will remain valid, whether allowance was made for building a wall where the existing gable will be removed, whether allowance was made for the re-use of the existing cladding, and whether the internal decoration could be removed from the quotation.
- Clerk is to ensure that HFC is satisfied that all the most recent comments were included in the final plans.
- Clerk is to arrange a meeting with Cameron Taylor Bedford at which HFC must be represented.
- Chairman is to provide reference details concerning the builder to HFC and PC.
- Clerk is to investigate the VAT implications of leasing the shop from HFC and to Post master.
- Clerk is to arrange a meeting between HFC and EHPC after the meeting with Cameron Taylor Bedford

It is anticipated that HFC will agree to the commencement of construction for the two storey extension on written confirmation of the firm fixed cost of Option 1.

The Chairman reported that he had asked for references.

A meeting was attended at the offices of Cameron Taylor Bedford on 19th. July by the Chairman, Clerk, M. Plumridge for HFC and John Sweetlove of CTB.

The price quoted for the new plans reflects the increased cost of the building, and is intended to recover the overspend due to the protracted time taken on the project. There was discussion as to how it might be possible to reduce the cost but these were abortive. JS agreed to reconsider the calculations for the price and come back to PC with an amended price in time for the Meeting on Thursday. He also agreed to give an updated price for contract administration which will increase because it will be based on a percentage of the overall cost of the building. JS said that CBC might consider the changed plans as an amendment for the purposes of building regulations approval in which case the full fee would not be payable but PC should expect at least £400 in inspection fees.

The Chairman reported that a new postmaster would have to be recruited because Mr. Singh would not be in post for much longer. Mr. Wigglesworth respectfully reminded the Chairman that he, the Chairman, had previously informed PC that Mr. Singh had undertaken to be the permanent postmaster. The Chairman denied this.

Financial Position of PC

The Financial Position of the PC at 31/3/02 was a balance of	£27901.36
PC was owed in VAT	£ 82.89
Total	£27818.47



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This was made up of Earmarked Reserves

Machinery	£600.00	
Tree Planting	£308.00	
Village Hall Project	£11500.00	
Projects	£2000.00	
Village Hall car park	£4000.00	
New Hall Loan Repayment	£3322.00	
Noticeboard	£957.50	
Parish Footpath Maps	£250.00	£11952.50
General Fund Reserves		£15,865.87

Add the Precept for this year £19793.28

The anticipated expenditure is £19989.22

Plus unbudgeted expenditure	
for portacabin (8 months)	£762.72
Planning application	£130.00
Building Regs. Inspections	£400.00
CTB client agent duties	£450.00
CTB plans for option 1	£2750.00
CTB additional cost for	
Project management	£340.00

Less total anticipated expenditure £24821.94

Projected General Fund Reserve 31.3.03 £10837.21

(NB. The earmarked reserve for loan repayments would cover a loan of about £45000).

ECC Grant Application

It looks as though the County Council would pay a grant to the Charity directly into a dedicated account opened by the Parish Council for the building project. PC could then recover the VAT. ECC has been asked to confirm this interpretation of their information sheet, but that was the way it worked for the Ramsden Bellhouse Village Hall project.

Countryside Agency Grant Application

A post card acknowledgement of the application had arrived that morning.

b) The Cameron Taylor Bedford Amended Quotation for Option 1 Plans

The CTB quotation is as follows:

Further to our meeting last week we have now reviewed the additional fees associated with progressing option 1 of the proposed extension at the above site. As discussed the figure indicated in our letter dated 19-06-2002 included an element relating to additional costs incurred in progressing the job to its current stage. This takes account of alterations to the drawings and contract documents, re-tendering and general extension of our involvement well beyond the original start date of September 2001.

We are prepared to adjust our total additional fee by accepting a reduced hourly for additional works up to 31-05-2002 and a breakdown of the revised figure is indicated below.

a) Additional fees for works up to 31-05-2002	1000
b) Additional fees for progressing option 1	1750

(175)

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Total £2750 + VAT

It was agreed to accept the revised fee figure on the understanding that 'progressing option 1' means completion of Option 1.

The Clerk was instructed to write to HFC to ask them to pay the £1750 fee associated with Option 1.

It was agreed that PC should be prepared to have a special meeting on receipt of the response from the Countryside Agency.

c) The Cameron Taylor Bedford Quotation for Project Management

Our fee for project administration will increase by £340 + VAT if option 1 proceeds.

(Original quotation £1450)+ £340=£1790.

It was agreed to accept this figure in principle, but that PC was not in a position to appoint at this time.

BOROUGH COUNCIL GRASS CUTTING

It was agreed that, as the information from the borough council had not been available for councillors prior to the Meeting, this item should be brought back to the next Meeting.

CONSULTATION : THE BOROUGH COUNCIL OF CHELMSFORD (FORMER A130 AND ADJOINING ROADS) (30,40 AND 50MPH SPEED LIMITS) ORDER 2002

It was agreed that a letter of support should be sent to the borough council.

The Chairman as borough councillor undertook to find out how much was being spent on the bridleway.

PLAY EQUIPMENT

It was agreed that councillors should meet at the play area fifteen minutes before the start of the next Meeting to inspect the equipment prior to discussion at the Meeting.

MATTERS FOR REPORT

a) PPP Parish Walks Leaflet

Mr. Draper showed PC the design for the walks leaflet. He reported that the plastic folders which the leaflets were to be kept in were from the County Council, and that the County Council would be giving a 100% grant for the project. He would obtain quotes for the printing for the next Meeting. It will be necessary for the Clerk to write to Ordnance Survey to ask for permission to copy their map, but it is anticipated that this will be permitted as the maps will be free of charge.

b) Circulation

Mr. Draper drew attention to the amount of reading material in circulation shortly before the Meeting, which had been unmanageable on this occasion.

c) Hanna's Field Bylaws

The subject of waiving of the bylaws for the Village Fete will be an Agenda item for the next Meeting.

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d) Overhanging Trees – The Tye

It was noted that trees belonging to the Church and Thriftwood were overhanging the path.

e) Water on the Tye in front of The Old Forge

The Chairman had reported the mains leak about four weeks previously, and was in communication with the water company on the subject.

f) Overgrown Hedges

The Chairman reported that a bramble was growing across the Tye footway from the hedge in front of the former PO garden. Cllrs. also reported the hedge at the Old School obstructing the Old Church Road footway. The Clerk was requested to write to both householders.

g) EALC Planning Conference

Miss Waters reported that the speaker at the conference had described ways that parish councils could influence the planning system such as with village design guides and local plans, and had covered the planning green paper.

h) The Tye

The Chairman reported that Lord Petre's solicitor was moving on the matter of the freehold of the Tye.

i) Bus Service

The Chairman reported that he is chasing the bus company for not having the destination on the buses, which means they are in breach of their licence.

j) Orbit around London

The Chairman attended the recent conference and will circulate the associated papers.

There being no further business the Meeting closed at 11.09.



Chairman

22nd August, 2002

A Meeting of the Parish Council was held on Thursday, 22nd. August at 8.05 pm in the Village Hall.

PRESENT

Mr. Dixon in the Chair, Messrs. Draper, Applegate, Parker, Williamson and Wigglesworth and Miss Waters. The Clerk, Mr. Singh and Mr. Wright, present and future post masters, were in attendance.

APOLOGIES FOR ABSENCE.

There were no apologies.

MINUTES OF THE PREVIOUS MEETING.

The Minutes were signed as a true record of the Meeting held on 25th. July, 2002.

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING.

Police Speed Checks (MA p.169)

The Chairman as borough councillor reported that the 86 percentile speed had been found to be 38.6mph. He had been dissatisfied with the siting of the tapes as they had not been at the entrances to the village. He undertook to circulate the CBC spot check statistics.

Telephone Answering Machine & White Noticeboard (Fa&b p.170)

These have been removed from the insurance schedule and the new noticeboard added.

Overgrown Hedges (MfRf p.177)

A letter was sent to the Old School but not to the former PO Stores as the footway was found not to be obstructed.

Mr. Parker reported that the owner of the Old School had spoken to him about the letter. He had subsequently inspected the hedge and found it not to be a problem, but he undertook to keep an eye on it.

VILLAGE HALL PROJECT

It was agreed to bring this item on the Agenda forward for the benefit of Messrs. Singh and Wright

a) Progress to date

A Meeting was held with Hanna's Field Charity on Monday, 19th. August. The Meeting was attended by Colin Warren, Mike Plumridge, Chris Evans, Peter Applegate, Les Draper, Alan Dixon and the Clerk.

PC Request to Proceed - The Charity approves going ahead with the project based upon the information received from CTB, PC and Oakwood BUT need to see final version of the detailed plans before building can start.

ECC Grant Application – Following a request from the Clerk, HFC completed and sent an application for grant funding to ECC. ECC will not progress the application without two sets of the detailed plans, which of course are not yet available.



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Oakwood Quotation – HFC are satisfied now that the quote is fixed price. They have discussed the prices for the enabling work and have decided to go for everything on the list except the four windows on the first floor, due to cost. They are aware that they need to check that this would be acceptable in terms of building regulations. They intend that the window openings should be constructed, bricked in and panelled over. HFC will provide the Clerk with a list of the enabling work required.

VAT and Lease Arrangements – HFC are satisfied that they do not need to charge VAT. The Clerk is still to investigate the PC side of it, which it was agreed was not urgent.

CTB Extra Fees – HFC have considered the extra fees and note that part of the increase is due to the increased cost of the building relative to the initial estimate of about £55,000, and not solely to Option 1. They calculate that £1,000 contribution to these fees would be fair and therefore that is their offer, which they will confirm in writing.

VAT & Charitable Buildings Extensions – Since June there has been a change in the rules which now allow a proportional zero rating of an extension to a charitable building which contains a commercial element. The Clerk is to investigate whether PC can take advantage of this as it would help cash flow not to have to pay all the VAT in the first place, even though it is recoverable.

Moving the Portacabin – Jake Singh has arranged that BT should move the connections to the cabin on 13th. September. He had to choose a date as they need 10 weeks notice. HFC expressed concern that if there was a problem which caused a delay in the moving of the portacabin on the 13th., that would affect the running of the Fete on the 14th. AD undertook to ask Jake if the date could be moved to the week beginning the 16th.

There was discussion concerning the new temporary site for the portacabin. HFC generally felt that it should be opposite the front door/long side of the Hall as it would be away from the access to the building site, and there would be fewer problems with cable extensions etc. AD felt it would be easier to move it sideways, away from the hall. It was agreed that the builder should be asked to consider the best temporary site with due regard to health and safety for customers. It was agreed that the builder would be asked to visit the site for this purpose and to be reminded of the positions of the mains services etc. and that this meeting should take place on a Saturday so that representatives from the Charity may be present.

b) The offer of Grant of £25,000 from the Countryside Agency.

The CA has offered a grant of up to £25,000 or 51% of actual expenditure (on the shop/PO) which ever is the lesser amount. The grant is subject to the PO and stores being in operation in the new premises within six months of the completion of the project. Non compliance would result in return of any grant paid. CA may request that a small plaque acknowledging the CA be displayed on the premises. A 50% advance grant is available but no more than 75% of the grant will be paid before completion of the project. The final claim must be sent by 31st. January. Acceptance must be within one month of 7th. August.

“In the event that any statement made or document produced by or on behalf of the applicant in support of the application is false, or the applicant breaches any of the terms and conditions of the grant, the Countryside Agency may, by notice in writing to the applicant, withdraw or vary the grant offer, refuse to pay grant, or vary the amount payable, or require repayment of the whole or such part as the Countryside Agency shall in its absolute discretion think fit of any grant paid.”

It was agreed to accept the grant and that the Clerk should sign the documentation as the applicant.



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c) The Level of Borrowing Required.

25% of CA grant will be withheld until completion = £6250.

50% of the Chelmsford Borough Council grant will be withheld until completion = £6000.

Calculations at 5 1/2%

Amount borrowed	£40,000	£50,000	£60,000	£70,000	£80,000
Annual Repayment	£2,963.28	£3,704.09	£4,444.91	£5,185.73	£5926.55
D Band tax payment	£6.49	£8.11	£9.74	£11.36	£12.98
Amount beyond budget per D Band property (this year)	00	£1.62	£2.25	£4.87	£6.49

Building costs to PC (excluding Option 1)

Building Works	91572	Building Works VAT	16025.10
PC Sums extra to Building Works	1600	Associated VAT	280.00
Project Management	1790	Associated VAT	313.25
Building Regs Inspections	400		
Additional fees for progressing Option 1	1750	Associated VAT	306.25
Additional fees up to 31/5/02	1000	Associated VAT	175.00
CTB client agent duties	450	Associated VAT	78.75
Total	98562	Total VAT	17178.35

Add to this £407 above budget for a £50,000 loan; £1148 above budget for a £60,000 loan or £1889 above budget for a £70,000 loan.

Calculations for loan requirement:

Total construction	£98,562
less CA grant of	£25,000
less CBC grant of	£12,000
To find	£61,562
& additional loan repayments	£1,262
Total	£62,824

This would give total up front of (£62,824 loan & 50% CA grant £12,500) = £75,324.

But this would have to include VAT so it would provide a pre VAT amount of £64,106 (.65 of the total or just over 3/5).

BUT £12,500 of grant funding will be withheld until completion, and PC's contingency, which might be required anyway, is only £11,500.

Taking the above into account it was agreed that the Clerk should apply to the Office of the Deputy Prime Minister to increase the borrowing approval to £70,000. It was also agreed that the Clerk should call a special Meeting before the September Meeting in order for the exact amount of the loan to be determined.


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d) Further Action

Appointment of Builder- It was agreed to appoint Oakwood as builder.

Appointment of Project Administrator- It was agreed to appoint Cameron Taylor Bedford as Project Administrator.

HFC Offer of £1000- It was agreed to accept the HFC offer of £1000 towards the additional CTB costs, and to inform CTB of this.

Portacabin Move- The Chairman reported that it was not possible to change the date of the move. The Post Office would be removing their equipment on Friday 13th. and returning it on the Monday. The electricity could be cut off on the Friday and reconnected on the Tuesday. It would be necessary to send payment in advance for this service, so the Clerk was delegated to authorise the signing of a cheque for this purpose to a maximum of £500 & VAT on receipt of the contractor's quotation. BT was yet to be contacted regarding the move.

Public Awareness- It was agreed that there should be a house-to-house leaflet drop informing parishioners of the portacabin move, the start of building work and the new post master nearer the time.

CORRESPONDENCEa) Definitive Map Seminar

It was agreed that the Clerk, Mr. Draper and Mr. Parker should attend the seminar to collect the new copies of the definitive map, and to be informed of the function of the map and the legal duties associated with its upkeep. Mr. Draper and Mr. Parker are to let the Clerk know whether they are available to attend on Tues. 19th. Nov. at Channels or on Tues. 26th. Nov. at Basildon Holiday Inn.

b) Modifications to the Definitive Map Associated with the New A130

Copies have been received for temporary use. These modifications will be incorporated in the new map.

c) Parish Councils and Planning

It was noted that a letter has been received from DEFRA and the Office of the Deputy Prime Minister saying that there has been a decision made that parish councils should not lose their current rights in the planning process. The requirement for parish councils to be notified of any relevant planning application will remain in primary legislation.

FINANCEa) Parish Footpath Leaflets.

Mr. Draper reported that Ordnance Survey would charge £47.50 for the use of their map in the leaflets, but this would be recoverable from the ECC grant. On receipt of a third printing quotation, the quotes must be shown to ECC. The Clerk was delegated to decide the most appropriate quotation.

b) Noticeboards

The Clerk reported that she had approached three contractors but only one quotation had been forthcoming regarding the removal of the white noticeboard and the installation of the new oak noticeboard. It was agreed to accept the quotation of £95 from Palmer Fencing.



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c) Receipts and Payments Account for the Year Ending 31/3/02

The accounts were approved and signed by the Chairman and RFO.

d) Annual Return for the year ended 31/3/02

The Annual Return with associated bank reconciliation and explanation of Significant Variations were approved and signed.

e) Statement of Assurance

It was noted that the Council will have to complete the Statement of Assurance at the next Meeting.

f) Parish Paths Partnership Courses

There was no interest expressed in attendance of the courses this year..

g) Payments

The following cheques were signed:

MD Landscapes	216.30	37.85	254.15	Mowing 11/7, 25/7, 8/8.	LG(MP)A 1976 S19(3a), Open Spaces Act 1906 S9(b)
Cameron Taylor Bedford	1000.00	175.00	1175.00	Additional work to 31/5/02.	LGA 1972 S111
The Printing Place			198.00	Autumn Newsletter	LGA 172 S142
K. Plumridge			516.95	August salary, office allowance & reimbursements	LGA 1972 S 112

The following debits were noted:

To	Amount £	Explanation	Power
Public Works Loan Ac. 27/8/02	248.36	Field Loan	LGA 1972 Sch13 1(b)
Public Works Loan Ac. 11/9/02	516.09	Hall Loan	LGA 1972 Sch13 1(b)

PLANNINGa) Planning Applications

02/01621/FUL 1 Rough Hill Farm Cottages, The Tye, (first floor side and ground floor rear extensions);

There was no objection to the application.

b) Application for Certificate of Lawfulness of Existing Use or Development:

02/01669/CLEUD Silver Ash, Southend Road (single storey extension between garage and house).

PC confirmed that the extension had been in existence for at least four years.



19/9/02

HANNA'S FIELD BYELAWS

It was agreed to accede to the request from HFC for the byelaws concerning prohibition of vehicles on the field to be waived for the Village Fete on 14th. September.

STANDING ORDER

It was agreed that for a trial period of three months the Clerk should be given the authority to call Meetings to begin earlier should she consider the Agenda to be longer than usual. In the case of an earlier start Public Question Time would begin at 8pm. In addition, at 10.30 pm the Council will consider whether to continue with the business as listed on the Agenda, to choose which business to undertake or to close the Meeting.

SCHEDULE OF GROUNDWORK

The Chairman proposed that the verge beside Rails Farmhouse where the daffodils grow should be added and the ditch beside the Old Forge Garden should be maintained for another year. The Clerk advised that the ditch had never been on the Schedule.

PC rejected the Clerk's advice that the grass island near the Three Horseshoes should be removed from the Schedule.

The Schedule was amended to read as follows:

VILLAGE MAINTENANCE AND EQUIPMENT

This covers repairs and renovations of posts, railings, bus shelters, litter bins, noticeboards, dog bins etc. Usually, major works are brought to PC Meetings for agreement, but the Clerk is able to make executive decisions for work to be done as an emergency.

GROUNDSMAN

Areas to be mown and/or strimmed (leaving flowering plants such as dead nettles to finish flowering):

- *Tye around posts, bollards and fence up to (but not including) ditch;*
- *Grass island near Three Horseshoes;*
- *Gas step down valve building to clear around planting;*
- *Verge beyond Willis Farm to clear around young oak trees;*
- *Triangle at Bicknacre Road junction to keep access to grit bin open, prevent growth coming over footway and retain access to noticeboard;*
- *Common S bend, around trees and to keep access to footpath open;*
- *Behind Rails Farmhouse, to keep access to footpath open;*
- *Footpath entrance between former PO and Old Forge.*
- *Verge beside Rails Farmhouse where the daffodils grow.*

Clear Tye edges when grass growing over path.

Spread grit/salt on areas of PC responsibility.

19/9/02

Usually deals with pyracantha which should be pruned in July.

Nettles, which we sometimes get complaints about, should be cut down in early June and the Autumn (butterflies).

The ditch in front of the Old Forge side garden should be cleared of weed for a year.

(The grill at the end of the Village Hall Chase is not on the list as HFC is responsible for it).

Delegation of Authority

There was discussion about the Clerk's statements to PC saying that individual councillors cannot be delegated with decision making powers. Miss Waters drew to PC's attention the minutes of the A130 Liaison Meeting on 13th. November which reported that East Hanningfield Parish Council wanted a third lane opened at completion to minimise the effect of slow traffic. She used this as an example of a councillor representing PC with his own views, which was incorrect procedure in the same vein as that of decision making outside of meetings by individual councillors.

The Chairman proposed and PC agreed that the Clerk should write to the Monitoring Officer concerning this matter.

PLAY EQUIPMENT INSPECTION REPORTS

a) Jungle Gym

The Clerk is to ask Wicksteed whether they can supply the required parts.

b) Slide and Swing

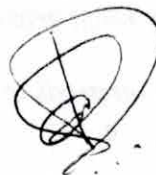
The Clerk is to seek quotations for the work suggested by David Archer at his meeting with the Chairman.

BOROUGH COUNCIL GRASS CUTTING

The list of work undertaken by the Borough Council in the village is to be circulated.

THREE HORSESHOES PUBLIC HOUSE

It was noted that following the Clerk's letter the A boards were removed.



19/9/02



MATTERS FOR REPORT

a) Footpath beside Sumptners Farm and Highfields Farm

The overgrowth is now clear.

b) Burnt Out Vehicle Pan Lane

The Chairman as borough councillor is to report the debris left behind after the removal of the vehicle.

c) Telephone Box on A130

The telephone box is inaccessible. BT are to be asked to move it.

d) Path Beside Three Horseshoes Garden

Mr. Williamson undertook to ask the management to cut the hedge back from the footway.

e) Parking on Footway, Bicknacre Road

It was noted that this had been reported to the Police.

f) Summer Holiday Play Activities

The Clerk reported that these had been well attended.

g) Flooding Main Road

There had been flooding outside Willis Farm. CBC is dealing with the drainage.

There being no further business the Meeting closed at 10.40pm.



Alan S. Dixer
Chairman

19th September, 2002

A Meeting of the Parish Council was held on Thursday, 19th. September, 2002 at 8 pm in the Village Hall.

PRESENT

Mr. Dixon in the Chair, Miss Waters and Mr. Williamson. The Clerk was in attendance.

APOLOGIES FOR ABSENCE

Apologies for absence were received and accepted from Messrs. Applegate, Draper, Parker, and Wigglesworth.

MINUTES OF THE PREVIOUS MEETING.

The Minutes were signed as a true record of the Meeting held on 22nd. August, 2002.

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING.

It was noted that these would be taken at the Meeting on 26th. September.

VILLAGE HALL PROJECT

a) Report of Progress to Date

CA Grant- £12,500 which is 50% of the grant has been transferred to the PC current account.

ECC Grant – The application will not be considered once work on the building has started. The Chairman undertook to speak to Lord Hanningfield, the county councillor, on moving the grant forward. ECC requires two copies of the plans, and HFC proposes to supply these shortly.

Publicity- A leaflet to inform residents of the temporary closure of the post office etc. was written by the Chairman, and photocopied for distribution.

Appointments – Oakwood has been appointed as the builder and Cameron Taylor Bedford have been appointed as the project administrator. The Chairman reported that CTB and Oakwood have yet to communicate and were scheduled to do so on 20th. September.

Contract – Although CTB were told that the Clerk would be available to sign the contract during the week beginning 9th. September (although on holiday) the contract was not forthcoming. This means that the matter of who insures what has not been resolved. The Chairman reported that the contract would probably be ready the next day, 20th. September.

Drawings – A set of drawings was received from CTB on Friday, 13th but it is incomplete referring to a specification which was not supplied, and in places is contradictory and will require a clause in the contract saying that where the general specification and detailed specifications are contradictory the detailed specifications should be followed. An amended Schedule of Works was received on 16th. September. This is the same as before but with the enabling works for Option 1 tagged on the end. The Charity's comments have been forwarded to Cameron Taylor Bedford. The Charity does not believe the issues raised need prevent the preparation of footings, but wish to see the drawings and Schedule of Works corrected before the contract is signed. The Chairman reported that answers to the Charities queries were expected the next day, 20th. September, and if not received he would chase CTB for them.



26/9/02

Start of Work – The portacabin was moved on Friday, 13th. and the post office reopened on Tuesday, 17th. The builder has therefore started the work without the formal contract. The publicity leaflet informs us that the work on the building will begin on Monday 16th. but the builder has been put on hold. This was advisable because until the contract is signed there is a limbo situation where if anything were to go wrong the situation would be unlikely to be covered by PC's insurance, and liability would probably rest on those whose decision it was to start the work. As yet, we do not know the extent of Oakwood's cover because that is a matter covered by the contract negotiations.

b) Borrowing Requirement

The calculations have been amended since the last Meeting

25% of CA grant will be withheld until completion = £6250.

50% of the Chelmsford Borough Council grant will be withheld until completion = £6000.

Borrowing Calculations at 5 1/2%

Amount borrowed	£40,000	£50,000	£60,000	£70,000
Annual Repayment	£2,963.28	£3,704.09	£4,444.91	£5,185.73
D Band tax payment	£6.49	£8.11	£9.74	£11.36
Amount beyond budget per D Band property (this year)	00	£1.62	£2.25	£4.87
Extra loan repayment to find this year		407.00	1148.00	1889.00

Building costs to PC (excluding Option 1)

Building Works	91572	Building Works VAT	16025.10
PC Sums extra to Building Works	1600	Associated VAT	280.00
Project Management	1790	Associated VAT	313.25
Building Regs Inspections	400		
Additional fees for progressing Option 1 (less HFC share)	750	Associated VAT	131.25
Additional fees up to 31/5/02	1000	Associated VAT	175.00
CTB client agent duties	450	Associated VAT	78.75
Total	97562	Total VAT	17003.35

This means that £114,565 will go through the books during the project.

Calculations for loan requirement:

Total construction	£97,562
less CA grant of	£25,000
less CBC grant of	£12,000
plus held back grant less contingency	£1,650
To find	£62,212
& additional loan repayments	£1,270
& PWLB fee	£25
& removal of portacabin	£550
Total	£64,057 (minimum amount of borrowing workable)

26/9/02

This would give total up front of (£64,057 loan & 50% CA grant £12,500) = £76,557.
But this would have to include VAT so it would provide a pre VAT amount of £65,155.

This calculation had been made assuming that PC would use the contingency to compensate for the fact that £12,250 of grant will not be forthcoming until after completion.

The Chairman proposed that the Clerk should be instructed to apply for a loan of £70,000 from the Public Works Loan Board. At the request of Miss Waters a recorded vote was taken.

For the Motion	Against the Motion
A.Dixon, E. Williamson.	P. Waters.

The motion was carried.

It was agreed that the Clerk should deliver the application to the Public Works Loan Board by hand the following day.

c) Further Action

The Chairman proposed that the Clerk should be delegated to review, amend where necessary and sign the contract without further consultation with Parish Council. At the request of Miss Waters a recorded vote was taken.

For the Motion	Against the Motion
A. Dixon, E. Williamson.	P. Waters.

The motion was carried.

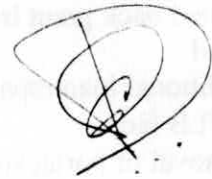
FINANCE

a) Payments and Receipts

The following cheque signed between Meetings was noted:

To	NET £	VAT£	TOTAL £	Explanation	Power
24 seven Utility Services Ltd.	288.00	50.40	338.40	Disconnect & reconnect service to portacabin	Local Govt. (MP) Act 1976 S19f

It was noted that the invoice had been incorrectly made out to the Chairman instead of the Parish Council. The Chairman undertook to obtain a correctly addressed invoice.



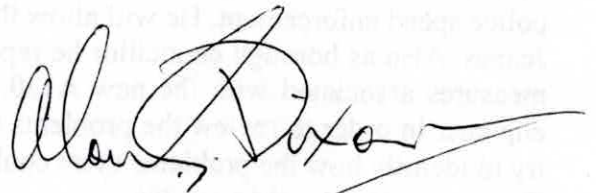
26/9/02

The following cheques were authorised:

To	NET £	VAT £	TOTAL £	Explanation	Power
A.T. Your Service			235.00	Repairs to portacabin	Local Govt. (MP) Act 1976 S19f
L. Draper			8.00	Photocopying for maps leaflet	Local Govt. Act 1972 S111
Ordnance Survey	47.50	8.31	55.81	Licence fee to copy map	LGA 1972 S111
Chelmsford Borough Council			35.00	Tennis coaching on 6/8/02	LGA (MP) A 1976 S19e
Essex Association of Local Councils			38.00	6 th . Edition of Local Council Administration	LGA 1972 S111
Premier Transline Hire	95.34	16.68	112.02	Hire of portacabin September	LGA (MP) 1976 S19f

It was noted that in the absence of a second signatory at the Meeting the Clerk would ask Mr. Draper to sign the cheques before the next Meeting.

There being no further business the Meeting closed at 8.37 pm.



Chairman

26th September, 2002

A Meeting of the Parish Council was held at 8 pm in the Village Hall on Thursday, 26th September, 2002.

PRESENT

Mr. Dixon in the Chair, Messrs. Parker, Wigglesworth, Williamson and Miss Waters. The Clerk and one member of the public were in attendance.

APOLOGIES FOR ABSENCE

Apologies for absence were received and accepted from Mr. Draper. Mr. Applegate had indicated that his arrival would be delayed.

MINUTES OF THE PREVIOUS MEETING

The Minutes were signed as a true record of the Meeting held on 19th. September, 2002.

MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 22ND. AUGUST

Police Speed Checks (MA p.178)

The Chairman as borough councillor reported that as speed continues to rise he has asked for police speed enforcement. He will allow them a week to get back to him before contacting Julia Jeapes. Also as borough councillor he reported on the second phase of the traffic management measures associated with the new A130. He had walked the village with a senior highways engineer in order to review the problems and was going to visit the Common again in order to try to identify how the problems there could be tackled.

Overgrown Hedges (MA p.178)

Mr. Wigglesworth had inspected the hedge beside the Old School again and considered that because it was growing through the fence, and therefore over the footway, it does need to be cut back. It was agreed that as the growth is not obstructing the use of the footway so was acceptable for the time being. Mr. Wigglesworth undertook to speak to the original complainant.

Definitive Map Seminar (Ca p.181)

ECC wanted a decision so Clerk is to attend on 26th. November at Basildon to collect the new maps. Cllrs. Draper and Parker are yet to advise of preferred dates.

Noticeboard (Fb p. 181)

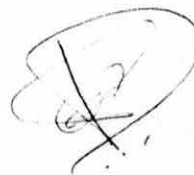
Palmer Fencing were instructed after Clerk's return from holiday.

Play Equipment (p.184)

This matter has not yet been dealt with due to catching up required after Clerk's holiday.

MATTERS ARISING FROM THE MEETING HELD ON 19TH. SEPTEMBER

There was nothing to report.



24/10/02

CORRESPONDENCE**a) Mr. Harris re: News Release**

It was agreed that the Clerk should write to Mr. Harris informing him that PC agreed to a house-to-house leaflet drop at the Meeting on 22nd. August, and that it was the intention to deliver to all houses but that a few were missed because of vicious dogs.

b) Rural Housing Trust

The Trust has been unable to reach an agreement with the owner of the land, and has abandoned its plans for the proposed development at Highfields Farm. The Clerk was instructed to contact local people who previously made offers of land to ask if they would allow their names to be forwarded again to the Trust.

c) Jubilee Cycle Route

It was agreed that the Clerk should write in support of the Jubilee Cycle Route along the old A130.

FINANCE**a) Parish Footpaths Leaflets**

It was noted that three quotations had been received for the printing of the leaflets. Under delegated authority the Clerk had accepted the lowest quotation of £595 from Diamond Press Ltd.

b) Statement of Assurance on Annual Return

It was agreed to answer 'yes' to all the questions on the statement except number 5, which concerned the appointment of an Internal Auditor.

The Clerk was instructed to advertise on the noticeboards and in the Newsletter for an independent internal auditor.

Mr. Applegate arrived at this point.**c) Payments**

It was noted that the following cheque although authorised at the meeting on 22nd. August did not appear in the minutes.

To	NET £	VAT £	TOTAL £	Explanation	Power
Premier Transline Hire	95.34	16.68	112.02	Portacabin hire August	Local Govt. (MP) Act 1976 S19

It was noted that the following sum has been deducted from the Precept:

By	TOTAL £	Explanation	Power
Chelmsford Borough Council	1.00	Allotment rent for 2002/3	Local Govt. Act 1972 S124

The following cheques were signed:

24/10/02

To	NET £	VAT £	TOTAL £	Explanation	Power
Hanna's Field Charity			30.75	Rent for Summer activities	Local Govt.(MP) Act 1976 S19
R Harvey			70.00	Groundwork & repairs	Open Spaces Act 1906 S10.Highways Act 1960 S96(5)
K. Plumridge			513.20	Sept. salary, expenses etc.	Local Govt. Act 1972 S112
Inland Revenue			73.12	PAYE & NI July, Aug. Sept.	LGA 1972 S112

The following receipts were noted:

From	To account	Amount £	Explanation
Woodham Trees	Current	10.00	Newsletter advertisement
Chelmsford Borough Council	Current	9,896.64	2 nd . half of Precept
Countryside Agency	Current	12,500.00	50% of grant

It was noted that the following amount would be deposited in the Current Account on Monday, 30th. September.

From	To account	Amount £	Explanation
Public Works Loan Board	Current	69,975	Borrowing for village Hall extension project

PLANNING

There were no planning applications to consider.

VILLAGE HALL PROJECT

Funding

Carnegie Trust:- HFC has designed a layout for shop fitting which has been approved by Tom Wright, the new postmaster. They are now seeking estimates, which are required by Carnegie for the grant application. The deadline for the application is 4th. October

ECC:- ECC has raised yet more queries about the project, and all have been addressed. A response is expected possibly as soon as 25th. September.

Loan:- The loan was confirmed today and will be paid into PC's bank account on 30th. September. Payments will coincide with one of the other PWLB payments on 11th. March and 11th. September. The interest rate will be 4 5/8% and repayments £4752.90 per annum. The Clerk was instructed to invest the advance in order to achieve the most favourable rate of interest.

24/10/02

Drawings & Schedule of Works

HFC have commented on the most recent amendments, and are now happy for the contract to be signed as long as their comments are acted upon.

Insurance

The insurance cover will be an amendment to the Village Hall's insurance policy in the names of PC and Oakwood. PC must insure the existing building (no extra cost) the new building and all materials stored on or near the site. Cornhill will be able to provide immediate cover once the dates and value of the contract are known.

The Clerk is to advise the police of the building works and to ask them to visit.

It was noted that some bricks have been delivered to the site and are there at the builder's risk.

Construction

It was noted that the foreman will be back from holiday on 14th. October, and the builder is therefore prepared to start work on that date.

THREE HORSESHOES PUBLIC HOUSE

A letter had been received from Eversheds in response to letters sent by the Chairman from the Members Lounge at CBC.

The Clerk had asked the National Association of Local Councils for advice and a reply has been received.

Mr. Wigglesworth referred to the letter from NALC which commented that as the Chairman's letter was written without express approval of the Council, it was an improper action. The Chairman responded that NALC had not been aware of all the facts because whoever had copied his letter had not included that it was written from the Members' Lounge at Chelmsford Borough Council. The Clerk informed PC that NALC was aware that the letters had been written from the Members' Lounge.

The Chairman stated that he had written the letters as borough councillor as though he had been sitting in on the Parish Council Meeting. The Clerk informed PC that in that case he should not have informed Unique Pub Co. that he was Chairman of the Parish Council.

Miss Waters challenged the concept that it was normal behaviour for a borough councillor to take up a matter of parish council business on behalf of a parish council without being asked by the parish council to do so. The Chairman responded that it was quite normal.

Messrs. Williamson and Wigglesworth challenged the assertion in the Chairman's letter that no problems had been experienced in connection with the public house before the present tenants. The Chairman would not accept that this was not the case.

The Clerk was instructed to respond to Eversheds according to the advice given by NALC, and to write to Mr. Turner of the Unique Pub Co asking him for the meeting which he had offered to the Chairman and which the Chairman had declined. She was also instructed to say that the Chairman had written in his capacity as borough councillor.

It was agreed to stop maintaining the Green in front of Scarles Croft.

The Clerk was instructed to inform Messrs. Jacobs and Harvey of this decision.

The Clerk was instructed to write to the Three Horseshoes requiring the removal of the A board.

Mr. Wigglesworth suggested that the Chairman does not attend the meeting with the Unique Pub Co.



24/10/02

CHELMSFORD BOROUGH COUNCIL GRASS CUTTING

The Chairman informed the meeting of the areas maintained by the Borough Council.
It was agreed that the Clerk should ask CBC whether the grass cutting could be delegated to PC with the appropriate funding.
Miss Waters undertook to look at the shrub planting on the Coude Dennis estate and to report back.

MATTERS FOR REPORT

a) Clean Slate Magazine

Miss Waters asked after the whereabouts of the magazine she had put into circulation. The Clerk was reading it.

b) Silver Birch on Tye

It was noted that the silver birch needs trimming.

c) Brambles outside Kilchurn

Mr. Wigglesworth undertook to investigate the reported brambles and to speak to whoever was responsible.

There being no further business the Meeting closed at 10.35.


Chairman

24th October, 2002

A Meeting of the Parish Council was held at 8.10 pm in the Village Hall on Thursday, 24th. October, 2002.

PRESENT

Mr. Dixon in the Chair, and Messrs. Draper, Applegate, and Wigglesworth. The Clerk was in attendance.

APOLOGIES FOR ABSENCE

Apologies for absence were received and accepted from Miss Waters and Messrs. Parker and Williamson.

MINUTES OF THE PREVIOUS MEETING

The Minutes were signed as a true record of the Meeting held on 26th. September, 2002.

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

Play Equipment (MA p.184)

This matter has still to be actioned but the Clerk has asked David Archer to recommend contractors.

Police Speed Checks (MA p.190)

The Chairman as borough councillor reported that he had contacted Ch. Supt. Julia Jeapes concerning the lack of action with regard to speed enforcement. She was to get back to him the following week.

He also reported that as borough councillor he had had a meeting with CBC Highways staff at the Common. The following matters had been discussed:

- Bicknacre Road junction – possibility of altering priorities but sight lines a problem;
- Footway North of Abbeyfields on sight splay;
- Marking on road surface for pedestrians – not available or safe option;
- S Bend – sharper inner corner a possibility.

Highways officers will visit PC to discuss the possibilities.

The Chairman as borough councillor undertook to rerun the prioritisation of traffic with the Highways officers.

Rural Housing Trust (C(b) p.191)

The Trust has already identified a piece of land and is negotiating with the landowner. A representative from the Trust has asked to come to the next PC Meeting in order to bring PC up to date on the situation.

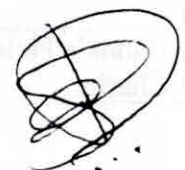
The November Meeting will therefore begin at 7.30pm.

Parish Footpath Leaflets (F(a) p.191)

Mr. Draper reported that he was due to attend a Meeting with PPP the following week in order to verify the leaflets.

Brambles outside Kilchurn (MfR(c) p.194)

Mr. Wigglesworth reported that he had yet to carry out his actions.



CORRESPONDENCE**a) Closure of Old A130**

It was noted that over the five months beginning on 18th. November highway construction work will be taking place on the former A130, which at times will necessitate its closure. It was agreed that CBC should be asked to ensure that there would a sign indicating whom should be contacted should the traffic lights fail.

b) Allotment Site

The misuse of the access to the allotments by a for parking and disposal of rubbish was considered. A map of the land owned by CBC has been supplied by the Housing Dept. and enquiries have been made with the Legal Dept. as to the rights in the case. It was agreed that the Clerk should keep Mr. Hambling, who had reported the matter, informed.

FINANCE**a) Payments to Builder**

It was agreed that the Clerk be authorised to arrange for cheques to be signed, between Meetings, in favour of the builder against invoices which have been certified by Cameron Taylor Bedford. This might be necessary over the holiday period in order to comply with the contract which requires payment against invoices within three weeks.

b) Clerk's Salary

It was agreed to accept the recommended increases to the Clerk's salary as recommended jointly by NALC/SLCC.

The Clerk is on Salary Scale 25:

- The new hourly rate for the period 1/4/02-30/9/02 is £9.243p.
- The new hourly rate for the period 1/10/02-31/3/03 is £9.332p.
- The new hourly rate from 1/4/03 will be £9.658p.

It was agreed that the Office Allowance for the period 1/4/02-31/3/03 should be £170.79 per annum, and for the period 1/4/02-31/3/04 £177.33 per annum.

c) Payments

The following cheques were signed:

To	NET £	VAT £	TOTAL £	Explanation	Power
Canon UK Ltd.	13.77	2.41	16.18	Copy charge	Local Govt. Act 1972 S111
Post Office Ltd.	99.00	17.32	116.32	Move line	LG(MP)A 1976 S19
Premier Transline Hire	95.34	16.68	112.02	Portacabin hire October	LG(MP)A1976 S19
Palmer Fencing Services	95.00	16.63	111.63	Installation of oak noticeboard	LGA 1972 S142
M D Landscapes	258.80	45.29	304.09	Mowing 22/8, 5/9, 12/9, 26/9.	LG(MP)A1976 S19 (3a) OSA 1906 S9(b)
Hanna's Field Charity			125.00	Preschool rent, 1 st half of	LG(MP)A1976 S19



28/11/02

				autumn term	
TXUEnergi	33.90	1.70	35.60	Power to portacabin during interregnum	LG(MP)A 1976 S19
Royal British Legion Poppy Appeal			72.50	Poppy wreath & donation	LGA 1972 S137
Oakwood Developments	8998.40	729.35	9727.75	1 st interim payment	LGA(MP)A 1976 S19
Cornhill Insurance PLC			177.22	Endorsement to VH building insurance to cover JCT contract	LG(MP)A 1976 S19
K. Plumridge			638.88	Back dated increase & salary etc October	LGA 1972 S112
Chelmsford Borough Council	393.00	68.78	461.78	Building Regs. 1 st . Inspection	LGA(MP)A 1976 S19

In the absence of the Member Responsible for Financial Monitoring, Mr. Wigglesworth checked cheques values against invoices.

The following deposits were noted:

From	To Account	Amount £	Explanation
Barclays 24/9/02	Deposit	27.41	Quarterly interest
HM Customs & Excise	Current	747.28	VAT refund

PLANNING

a) Planning Applications

02/02015/FUL 11 Highfields Mead (first floor rear extension)

There was no objection to the proposed extension.

02/02051/FUL South Gibcracks Farm (first floor side extension)

On the Chairman's casting vote it was agreed to object to the proposed extension as it would be inconsistent with the policy which presumes against non-essential extensions to dwellings in the countryside.

02/02069/FUL Kilchurn, 12A Bicknacre Road (enlarged first floor across full width of house and garage)

There was no objection to the proposed development.

28/11/02

02/02092 Mill Hill Farm, East Hanningfield Road, Sandon (Class 2 care accommodation and ancillary buildings with landscaping and access arrangements)

PC objected to the proposed development because it would be in contravention of policies applying to the rural areas.

b) Appeal Decisions Noted

- Alands Farm, Back Lane (Proposed development to operate a 'nurseryscape' business). Appeal dismissed.
- Alands Farm. (Proposed development to site temporarily a portacabin for general office use). Appeal dismissed.

c) Chelmsford Borough Council Replacement Local Plan 2001-2001

It was noted that a copy has been received. It was noted, also, that the defined settlement boundary had returned to its previous position.

VILLAGE HALL PROJECT

a) Clerk's Report

Contract:- The contract has been signed and covers the period 14th. October – 31st. January, and is to the value of £105,492 (this includes the Option 1 and enabling works to be paid by HFC). Any changes to the plans or schedule must be confirmed in writing through CTB. Minor queries from the builder on matters with no cost, quality or schedule implications will be through the Hall Manager, Chris Evans. The builder has provided a programme indicating when the different elements of the construction will take place, and this is being used to calculate how the payments will be required.

Public Works Loan:- £70,000 has been invested in a Treasury Account for one month and will earn £175.78. On maturity the full amount can be reinvested for a further period of 2 or 4 weeks or a smaller amount reinvested (minimum £20,000).

VAT:- The builder has been provided with a Zero Rating certificate by the Charity, in order for the charitable side of the building not to incur VAT. The Clerk has provided the builder with a schedule of the VAT payments so that he is aware exactly how much should be charged for each element of the construction (zero, full or partial).

Grant Application ECC:- HFC has been granted £16,500. This will require PC to open a bank account specially to receive it, as ECC does not want it to go into PC's normal accounts, and if it goes to the Charity it will be subject to VAT.

Grant Application Carnegie Trust:- The Trust has informed HFC that they will make a decision in November.

Recent Developments:- (i) HFC drew attention to the fact that their requirement had been for a 1800mm wide shop window and 1500mm had been quoted. The builder has now quoted an additional £355 & VAT for the larger window, lintel and shutter.

(ii) The land drain running under the extension has been exposed and found to be laid in a perforated pipe. The building inspector is unhappy that this could allow water to soften the ground under the building and CTB share his concerns. CTB has asked Oakwood to provide a price for diverting the drain and to seek advice re possible insitu lining.

(iii) The builder has found the incoming water main to the building to be only 20mm. The supply comes from Abbey Fields, and unless the main is of a larger dia. Coming across the field, it will be a costly exercise to bring a new supply across for the post office. Oakwood is of


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the opinion that the existing supply is not adequate for the existing building, "let alone the extension".

b) Agreed Actions

It was agreed that the Clerk should open a new bank account to receive the County Council's grant, and that the account should be named East Hanningfield Village Hall Building Fund or a similar alternative name if necessary.

The Clerk was instructed to ask CTB whether a water pipe of an increased diameter be built into the new building, so that a decision about the diameter of the main can be made at a later date.

It was agreed that the Clerk should instruct CTB and the builder that PC approves the additional expenditure of £355 & VAT for the shop window.

It was agreed that a meeting of the working party should be arranged in order for the management of the shop facility to be discussed.

THREE HORSESHOES PUBLIC HOUSE

a) Date of Meeting

The Clerk was instructed to arrange a meeting with representatives from the Unique Pub Co. for one of the dates proposed according to the availability of councillors.

b) Representation at Meeting

It was agreed that any councillor wishing to do so might attend.

CONSULTATION – WAR ON WASTE

It was agreed that Option 1 was the favoured option because it involved the highest level of recycling, although the inclusion of MBT which is an untried technology makes the outcome unclear.

DATE OF DECEMBER MEETING

It was agreed that the Meeting which would fall on 26th. December should take place on 2nd. January, and that the following Meeting should take place on 30th. January.

FREEDOM OF INFORMATION ACT 2000 – PUBLICATION SCHEMES

a) The Model Publication Scheme

Section 19 of the Act requires every public authority to adopt and maintain a publication scheme which has been approved by the Information Commissioner. Section 20 of the Act provides that the Commissioner may, from time to time, approve model publication schemes. Where a public authority adopts an appropriate model scheme, no further approval is required. It was agreed to adopt the Core Model Publication Scheme.

b) Approval Questionnaire

It was unnecessary to complete the Questionnaire as PC had adopted the Model Scheme.



28/11/02

MATTERS FOR REPORT

a) Village Hall

Mr. Applegate reported that lettings are down by 2000 a year. HFC have asked PC for clarification about what PC plans to do about the play equipment.

There being no further business the Meeting closed at 11pm.



Chairman

28th November, 2002

A Meeting of the Parish Council was held at 7.32 0m in the Village Hall on Thursday, 28th. November, 2002.

PRESENT

Mr. Dixon in the Chair, and Messrs. Draper and Wigglesworth and Miss Waters. The Clerk and Julie Pavitt from the Rural Housing Trust were in attendance.

APOLOGIES FOR ABSENCE

Apologies were received and accepted from Messrs. Applegate and Wigglesworth.

MINUTES OF THE PREVIOUS MEETING

The Minutes were signed as a true record of the Meeting held on 24th. October 2002.

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

Parish Footpath Leaflets (MA p.195)

Mr. Draper reported that he and the Clerk had met the ECC officer dealing with PPP at the Definitive Map Seminar 26th. November. The officer confirmed that full funding is available for the publication of the walks leaflet. Mr. Draper will be checking the maps on the leaflet to compare them to the new definitive map in order to ensure there are no inaccuracies before printing.

The explanatory booklet from the Seminar is to be circulated.

The new definitive map is to be publicised.

Mr. Parker arrived at this point.

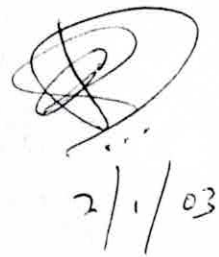
Speed Checks (MA p.195)

The Chairman reported that as borough councillor he had met with CBC officers again on the matter of traffic management. The officers are going to run the proposed schemes through a safety audit before consulting PC on them. The traffic management schemes will be implemented in the next financial year.

The works to reduce the two carriageways at Rettendon Common to one will take place when the present works at Howe Green and Rettendon are completed. The traffic lights at Canon Barns are to remain.

FREEDOM OF INFORMATION ACT – PUBLICATION SCHEMES (p.199)

The Information Commissioner has accepted the Parish Council's model scheme. The scheme has been approved for a period from 28th. February 2003 to 28th. February 2007. Five months prior to the end of the scheme PC will be notified whether a revised model scheme has been produced.



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CORRESPONDENCE**a) Rights of Way**

It was agreed to accept an invitation from the Rights of Way Officer for two representatives to visit his office at Galleywood Common. Mr. Draper and Miss Waters are to attend, and arrange a mutually convenient date.

b) Youth Provision in the Parish

It was agreed to accept an invitation to attend a meeting at the Galleywood Youth Centre on 23rd. January, at 7pm concerning the provision for young people in the parish. Notice of topics which might require research is requested in advance. The Chairman will attend if available.

c) Traffic Amelioration

Correspondence from ECC Highways informing PC that East Hanningfield is in phase 2 of the post A130 bypass measures was noted. Traffic levels will continue to be monitored and further data taken in the new year after the southern section of the A130 is opened.

FINANCE**a) Village Hall:**

PC considered a request from Hanna's Field Charity for PC to fund additional enabling works for the future meeting room. It was agreed that this matter should be brought back to the Meeting on 2nd. January when it would be more apparent how much funding would be available for additional items.

b) Budget

It was agreed to set the Precept of the financial year 2003/4 at £21324.38. The Chairman and Clerk signed the Precept form.

The Clerk is to request information from EALC concerning the level of audit for the next audit.

c) Willows, The Tye:

It was noted that the Clerk had requested a quote for crown reduction, and would be sending appropriate notification to CBC Planning. It was agreed to accept the quotation of £595 from Garden and Woodcraft Services for crown reduction by one third.

d) Payments

The following cheque had been signed between meetings:

To	NET £	VAT £	TOTAL £	Explanation	Power
Printing Place			198.00	Winter newsletter	LGA 1972 S142

The following cheques were signed:

To	NET £	VAT £	TOTAL £	Explanation	Power
Premier Transline Hire	95.34	16.68	112.02	Portacabin hire November	LG(MP)A 1976 S19
M.D. Landscapes	70.10	12.26	82.36	Mowing 11/10/02	LG(MP)A 1976 S19 (3a) OSA 1906 S9(b)
Oakwood Developments	28561.94	2816.94	31378.69	2 nd . interim payment	LG(MP)A 1976 S19
Garden & Woodcraft Services			25.00	Remove storm damage from willows on Tye	OSA 1906 S9(b)
Essex Association of Local Councils			6.00	Copy of <i>Powers & Constitutions of Parish Councils</i>	LGA 1972 S111
Essex Association of Local Councils			37.00	Attendance for 1 delegate at <i>Nuts & Bolts</i> Course	LGA 1972 S175
K. Plumridge	509.99 14.26 40.53		564.78	November salary, office allowance & reimbursements	LGA 1972 S112
Inland Revenue 28/12/02			190.79	NI & PAYE Oct- Dec	LGA 1972 S112
Society of Local Councils Clerks			43.20	Proportion of annual subscription	LGA 1972 S 143
D. Sherry			38.16	Editor's expenses	LGA 1972 S 142
K. Plumridge 28/12/02			523.79	December salary & office allowance	LGA 1972 S112

The following deposits were noted:

From	To Account	Amount £	Explanation
Barclays 11/11/02	Current	175.78	Treasury Account
25/11/02		67.83	Interest
Oreon	Current	6.00	Newsletter income
Angie's Aerobics	Current	6.00	Newsletter income

PLANNING

a) Planning Applications

02/02037/FUL Lodge Farm, Old Church Road (reinstatement of business units).

PC had no objection to the reinstatement of the units, but had some comments. PC would wish to see a condition applied which would require all vehicles to use the access via the Southend Road. PC is concerned that provision should be made for the safety of workers with regard to the storage of hazardous substances and with regard to fire separation. PC would like to add

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that this is an opportunity for the new buildings to be constructed using techniques which promote energy conservation and with sustainability in mind.

02/02183/REM The Bungalow, The Tye (reserved matters for proposed new two storey dwelling).

PC objected to the proposed house. The design needs to make a positive contribution to the Conservation Area, but this does not. PC would wish to see a smaller building, more in keeping with its position in the Conservation Area. An example of a successful new building in the Conservation Area is Quince Cottage. The proposed house would constitute over development of the plot. Should planning permission be granted, PC would wish to see stringent conditions applied to prevent use of the village green, during the building works, for parking and deliveries etc.

02/02303/FUL Hanningfield Service Station, Southend Road (Demolish existing building and erect single storey pitched roofed rear extension to provide vehicle cleaning building ancillary to existing vehicle sales use.

PC had no objection to this application, but wishes to raise the following concern.

Historically, the management have not been able to confine their operations to the site. There is some concern that by increasing building on the site there will be less space for storage of vehicles. PC would therefore wish to see conditions applied which would ensure that there would be no overspill from the site.

02/02335/FUL Wealden House, Bicknacre Road (conservatory at rear).

There was no objection to the proposed conservatory.

02/02354/FUL 15 Highfields Mead (two storey side extension).

There was no objection to the proposed extension.

b) Appeal

Land Adjacent 19 Ashley Green

It was agreed not to send further representation to the appeal which follows refusal of planning permission for a 4 bedroom dwelling.

c) Appeal Decisions Alands Farm

It was noted that following the Appeal decisions with regards to Alands Farm, the landowner intends to relocate the business and to apply for the removal of the agricultural occupancy requirement. CBC will not commence any formal action against the owner whilst these matters are pending, but should no planning application be received or relocation possibilities seriously investigated CBC will consider the issue of Enforcement Notices in January, 2003.

VILLAGE HALL PROJECT

a) Clerk's Report

Hanna's Field Charity has received confirmation of a grant of £6000 from the Carnegie Trust. This grant will go direct to HFC and will be administered by them. The estimate for the cost of fitting out was £13,493 & VAT, so there is a short fall of about £7000.

The builder has proposed a minor amendment which is presently being considered by CTB. This is for ceiling boards to be fitted to the first floor storage rooms and to be insulated above, rather than insulating the roof panels as shown in the plans and as in the existing building. This suits HFC who would have had to fund ceiling boards as part of the enabling works for the meeting room.

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A perfect colour match has been found for the external wall panels, and a similar match for the profile. Supplier suggested by HFC as builder had identified a sample with a poor profile match.

The RCCE has contacted ACRE concerning the lease and have been advised that rather than a lease, an occupational licence should be used. Creating a lease gives the shopkeeper an 'interest in the property' therefore that interest could be transferred to a third party such as if the shop closed. Using an occupational licence does not create such an interest but does give him exclusive use of a particular area of the building. It is recommended that as it is a legal document, the services of a solicitor are used.

RCCE has also advised that the interpretation of what comprises a commercial rent appears to have changed. The Charity Commission seem to accept that it can mean commercial in regard to the use of the village hall and not necessarily comparative with commercial premises in the vicinity.

The County Council has approved the first interim payment to Oakwood and will be sending a cheque for 25% of that payment shortly.

The cost of lining the land drain under the building has been quoted as £1218 plus VAT of £213.15, total £1431.15. This amount has been agreed in the budget calculations.

b) Further Action

It was agreed that the Clerk should ask HFC for a meeting as soon as possible.

THE THREE HORSESHOES PUBLIC HOUSE

Mr. Draper proposed and it was agreed that the Chairman should not participate in this Agenda Item as members of the public might construe that he had a prejudicial interest.

The Chairman left the Meeting. Mr. Draper took the Chair.

PC considered a letter from the Unique Pub Co. which formally proposed the siting of an A-board and two wheelie bins with associated screening on the Tye, as had been proposed at their meeting with PC on 7th. November. The letter also proposed brass down-lighters to be attached to the existing sign board in the pub garden.

It was agreed that the Clerk should write to the Unique Pub Co. giving consent for the A-board to stand on the grass island as permitted by Byelaw 8, subject to it being of the same dimensions as previously notified by the Company and to there being only one A-board on the green.

PC was unable to make a decision about the bins and their screening because insufficient information was supplied. The Clerk was therefore instructed to ask for design details.

The Clerk was instructed to advise the Unique Pub Co. that they should obtain legal advice concerning Section 29 of the Commons Act 1876 and Section 19 of the Inclosure Act 1857, as PC could only give them permission under the byelaws and could not give them permission to contravene statutes.

PC had no objection in principle to the proposed down-lighters but reserved making a decision until the detailed plans were seen on the planning application.

The Chairman returned to the Meeting.



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CONFIDENTIAL ITEM

Using powers provided by the Public Bodies (Admission to Meetings) Act 1960, the Parish Council resolved to exclude the public by reason of the confidential nature of the business to be transacted.

The contents of a letter from the Standards Board were noted.

MATTERS FOR REPORT

a) Mr. Parker

Mr. Parker reported that he would be moving out of the parish, but agreed to remain on the Council until the elections in May. PC thanked him for his consideration, and for his time on the Council. He is to inform the Clerk of his new address.

b) A130 Environmental Monitoring

The Chairman as borough councillor undertook to find out where the air monitoring equipment is located, and where the yews were planted and whether they are alive.

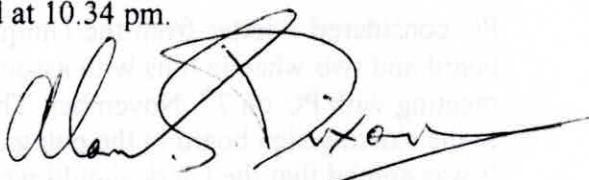
c) Broadband

The Clerk reported that she had received information from the East of England Development Agency about their competition for rural communities to win access to broadband. She had previously been asked by a resident whether PC could do anything about the lack of access in the parish. PC asked her to make further investigations in order to report back.

d) Parish Transport Liaison

The Chairman has attended the Liaison meeting that day. He had reported the incorrect labelling of the diamond service and the early leaving, which is still happening. The minutes are to be circulated.

There being no further business the Meeting closed at 10.34 pm.


Chairman

2nd January, 2003

A Meeting of the Parish Council was held at 8 pm in the Village Hall on Thursday, 2nd. January, 2003.

PRESENT

Mr. Dixon in the Chair, Messrs. Draper, Applegate and Wigglesworth. The Clerk was in attendance.

APOLOGIES FOR ABSENCE

Apologies for absence were received and accepted from Messrs. Parker and Williamson.

MINUTES OF THE PREVIOUS MEETING

The Minutes were signed as a true record of the Meeting held on 28th. November, 2002.

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

Rights of Way (Ca p.202)

Mr. Draper reported that he was still to arrange a meeting with rights of way officers.

Traffic Amelioration (Cc p.202)

Mr. Applegate asked for information as to what measures were proposed for East Hanningfield. The Chairman as borough councillor explained that he had met with borough officers and run through the package of schemes which were similar to those PC had previously proposed.

Miss Waters arrived at this point.

Mr. Parker (MfRa p.206)

No address had been received from Mr. Parker, but was promised in the next 24 hours.

A130 Environmental Monitoring (MfRb p.206)

The Chairman as borough councillor had undertaken to find out where the monitoring equipment is located. He found that ECC has yet to monitor air quality, and is proposing to do so on the northern section once the southern section has opened as it is thought that traffic will increase when the full length of road is open, which would increase pollution levels. Miss Waters pointed out that levels of pollution were only part of the problem and that patterns of pollution due to topography, turbulence weather conditions and wind direction only become evident after long term monitoring, and with it already being a year since the new road opened residents were looking to make claims for compensation but had no data to which they could refer.

It was agreed that PC should keep in touch with ECC in order to ensure that there was no slippage in the timetable for monitoring, and to find out how they propose to monitor air quality and the frequency of the monitoring.

The Chairman as borough councillor had also undertaken to find out where the yews had been planted and whether they were still alive. He reported that some had died and would be replaced during the coming planting season.



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Broadband (MfRc p.206)

Investigations confirmed that broadband is not available locally. Also that satellite connection is not equivalent to broadband because although downloading is speeded up sending data still has been done at the normal speed through ground lines.

A group from the village which includes the Parish Council is making a bid in the competition.

CORRESPONDENCEa) Watch Your Waste Line

CBC had invited representation by one member of the Council at a meeting to explain the *Watch Your Waste Line* move into the rural areas. This is the introduction of green wheelie bins, and green collection boxes and white sacks for recyclables. The meeting will be held at the Marconi Room Civic Centre, at 6.30pm on 22nd. January, 2003. Mr. Applegate offered to attend and would confirm with Clerk when he had checked his diary. Miss Waters offered to attend as a reserve or if another place was available.

FINANCEa) Village Hall

It was agreed to accede to a request from HFC for a short term loan of £2768.30 to cover the cost of the electrical fittings for the shop prior to the receipt of grant from the Carnegie Trust, the cheque being made out to the supplier.

b) EALC Greens & Commons Course

It was agreed that Mr. Draper and the Clerk should attend the one day course to be held on Friday, 7th. February 10am-3pm, at Foakes Hall, Great Dunmow. The speaker will be Tim Ricketts of the N.A.L.C. legal team. Cost to PC £39 for one delegate, £35 each for two delegates or more. Mr. Draper is to confirm his availability with the Clerk.

c) EALC Insurance Briefing

There was no interest in attendance at an EALC *Insurance Briefing* on 22nd. January.

d) Payments

The following cheques were signed:

To	NET £	VAT £	TOTAL £	Explanation	Power
Premier Transline Hire	95.34	16.68	112.02	Portacabin hire December	LG(MP)A 1976 S19
Hanna's Field Charity			125.00	Preschool rent 2 nd . half winter term	LG(MP)A 1976 S19
Simpson & Malone			105.00	Repairs to portacabin following attempted burglary	LG(MP)A 1976 S19



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To	NET £	VAT £	TOTAL £	Explanation	Power
Shop-Equip Ltd.			2768.30	Loan to HFC for purchase of shop electrical equipment	LG(MP)A 1976 S19
K. Plumridge			18.34	Reimbursements & expenses	LGA 1972 S111
Premier Transline Hire	95.34	16.68	112.02	Portacabin hire January	LG(MP)A 1976 S19
Elwell Commercial Ltd.	200.00	35.00	235.00	Valuation of shop premises	LG(MP)A 1976 S19
Cameron Taylor Bedford *	1614.94	282.61	1897.55	Professional fees	LG(MP)A 1976 S19

*Cameron Taylor Bedford were sent a fax on 9/12/02 asking for amended invoices to be sent reflecting the fact that HFC are paying £1000 of the fee to amend the drawings to incorporate option 1. Nothing has appeared to date, and this payment had been calculated on a pro-rata basis.

The following receipts were noted:

From	To Account	Amount £	Explanation
Essex County Council 30/11/02	Village Hall	2431.94	ECC Grant
Barclays	Deposit	28.10	Quarterly interest
Essex County Council 20/12/02	Village Hall	7844.68	ECC Grant
Baddow Plumbing Svs. 28/12/02	Current	20.00	Newsletter income
Hanningfield Motor Co. 28/12/02	Current	20.00	Newsletter income

PLANNING

02/02494/FUL Silver Ash, Southend Road, Rettendon Common (ground floor extension to replace existing conservatory).

There was no objection to the proposed replacement.

02/02407/FUL New House Farm, Old Barn Lane, Rettendon Common (first floor extension above existing garage, two storey front extension).

PC objected to the proposed extensions because they are not justified in terms of agriculture nor do they fulfil any lack of amenity, this being a site within the greenbelt.

VILLAGE HALL EXTENSION PROJECT

a) Clerk's report

HFC has held meetings with Tom Wright to discuss layout of electrical and shop fittings and to establish basic conditions for the Lease between HFC and Tom Wright, and with CTB and Oakwood to confirm electrical fittings and other details. There has also been a meeting between

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CTB and the Buildings Inspector which was attended by M. Plumridge and the Clerk, and a meeting of the HFC/PC Working Party.

HFC have decided that they wish the grant they obtained from ECC to be used to take forward the enabling works for the first floor meeting room beyond those they have funded already to cover additional work to bring the meeting room conversion close to completion, and Oakwood have been asked for costings thereof. The Building Inspector identified several necessary amendments and two problems with regard to this. He required that the stairs should be of a non-combustible material and that it should be an ambulant staircase (wider, shallower steps) with a half-way landing. As there is not space for a longer staircase, CTB was sent back to the Building Inspector to renegotiate and was told that a stairlift would be acceptable instead of the landing. This has been queried as previously HFC was told that a stairlift was not acceptable, but the circumstances had changed with the introduction of the wider ambulant staircase.

The Clerk has instructed Weight Wolny and Trussler to prepare a lease, and an independent valuer to provide a valuation, which has been received, in addition to those obtained previously by Colin Warren and Alan Dixon which were widely variant.

In the meantime, HFC are investigating what would be a level of rent acceptable to the Charity Commission, taking into account the valuation and other factors.

HFC have provided Tom Wright with a letter of intent which he can use to progress his grant application for the construction of the fortress, but the grant application was being held up by the lack of quotations for the fortress installation.

Due to the recent attempted burglary at the post office and the associated damage to the Hall security lights and fence posts, HFC would like to request PC to review the postponed proposal for closed circuit television cameras.

b) Further Action

It was agreed that the topic of the closed circuit television should be an Agenda item for the February Meeting.

THREE HORSESHOES PUBLIC HOUSE

a) Information Received.

NALC has responded to a request for information regarding case law as follows,

Even if it were relevant to the byelaw issue (and I cannot say that it is) a decision of a Commons Commissioner is of persuasive authority only. The Council is being led astray by arguments over the byelaws.

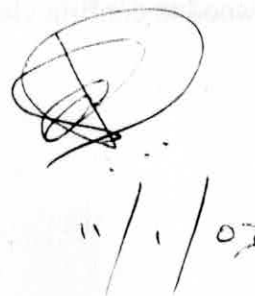
The essential point is that the concerns of the Council can be remedied under the 1857 and 1876 Acts.

I suggest that the Council respond by stating that they do not accept the arguments on the Herne Bay case..... and reminding them of the existence of the 1857 and 1876 Acts and that they are of general application to every registered village green.

CBC Planning Dept. has advised that as there is no 'permitted development' for a public house, it would be necessary for the management of the Three Horseshoes to apply for change of use to use the village green for even occasional parking. It being a conservation area the chances of such an application being successful are slight.

b) Screening and Wheelie Bins

No design for the fencing around the bins had been received so it could not be considered.



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MATTERS FOR REPORT

a) Renewable Energy

Miss Waters reported that it was now possible to subscribe to an electric company which supplied electricity from renewable sources, and would supply contact details on request.

b) Flooded Chase

Mr. Wigglesworth reported that at one point on 1st. January water had been flowing off the field, onto the car park and down the Chase to the road. This had been due to the saturated nature of the ground, and was not associated with blocked drainage.

c) Blocked Roadside Drain near Willis Farm

The Chairman had reported this to CBC.

d) Footway Beside Three Horseshoes Garden

The narrowness of this footway causes problems for pedestrians pushing prams or buggies, or walking with small children. The possibility of widening the footway or raising the kerb may be broached when the traffic amelioration scheme is considered.

There being no further business the Meeting closed at 9.32 pm.


Chairman

11th January, 2003

A Meeting of the Parish Council was held at 9.07 am Saturday, 11th. January, 2003 in the Village Hall.

PRESENT

Mr. Dixon in the Chair, Mr. Parker, Mr. Wigglesworth and Mr. Williamson. The Clerk and Mr. Plumridge of Hanna's Field Charity were in attendance.

APOLOGIES FOR ABSENCE

Apologies were received and accepted from Mr. Draper and Miss Waters.

MINUTES OF THE PREVIOUS MEETING

The Minutes were signed as a true record of the Meeting held on 2nd. January, 2003.

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

It was noted that these would be received at the Meeting to be held on 30th. January.

MOTION PROPOSED BY THE CHAIRMAN: TO OBTAIN A FURTHER PROFESSIONAL RENTAL VALUATION FOR THE SHOP/PO

It was noted that because of confidential nature of the business to be discussed the Parish Council could by resolution exclude the public using powers provided by the Public Bodies (Admission to Meetings) Act 1960, but as the only member of the public present was Mr. Plumridge who was representing Hanna's Field Charity this was unnecessary.

The Chairman explained that he understood that the current written valuation that had been obtained advised a rent level which was not affordable or acceptable by the prospective tenant, and that in his opinion it was unrealistic. He therefore proposed that Strutt and Parker should be approached for a written valuation, as their previous verbal valuation had been lower and within the means advised by the prospective tenant.

The question was raised as to whether the prospective tenant had been informed of the valuation figure. The Clerk replied that the Parish Council had not informed him. The Chairman replied that he had personally told him the figure.

There was some discussion as to whether a further written valuation was needed as Hanna's Field Charity were taking many factors into consideration in setting the level of proposed rent prior to negotiating the level with the prospective tenant. The Charity does not have to hold out for a rent at market rate, but they are required to obtain the highest rate possible in the circumstances in order to be seen to be complying with the Charity Commission.

It was agreed that a business plan was required from the prospective tenant in order to negotiate the rent level.

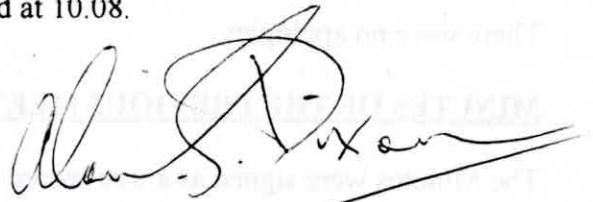


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The Clerk advised that she had been informed by the Charity that they would not give a second written valuation precedence over the existing valuation, and she also advised that Strutt and Parker should not be given the task of providing the second written valuation as, in the eyes of the public, it might be construed that they had been chosen because of their lower verbal valuation.

It was agreed that the Clerk should instruct Strutt and Parker at Chelmsford, with a brief for a written valuation for the shop/PO premises.

There being no further business the Meeting closed at 10.08.



Chairman

30th January 2003

A Meeting of the Parish Council was held at 7.33 pm in the Village Hall on Thursday, 30th January, 2003.

PRESENT

Mr. Dixon in the Chair, Messrs. Draper, Parker, Williamson, Wigglesworth and Miss Waters. The Clerk was in attendance.

APOLOGIES FOR ABSENCE

There were no apologies.

MINUTES OF THE PREVIOUS MEETING

The Minutes were signed as a true record of the Meeting held on 11th. January, 2003.

MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 2ND. JANUARY

Mr. Parker (MA p207)

Mr. Parker has supplied the Clerk with his address.

Watch Your Waste Line (Ca p.208)

Miss Waters and Mr. Applegate attended the meeting at CBC. CBC had been surprised to received the funding from government to extend the collection of recyclables into the rural communities and were proposing a system which they accepted might be changed as lessons are learned. Brown wheelie bins are to be delivered to households in the near future. The brown bins are to be filled with compostable material and will be collected alternate weeks to the black bins which will continue to be for non recyclable waste. Households will also receive a green box for bottles and cans etc and a sack for paper.

It was noted that most households had received two letters on this subject and the Clerk had received posters publicising the mobile exhibitions.

As Mr. Draper had not received either of the letters he undertook to check whether other addresses at Highfields Mead had received them.

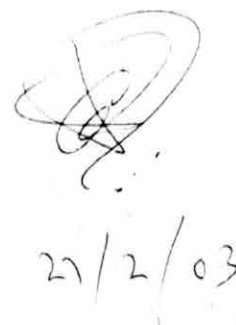
EALC Greens and Commons Day (Fb p.208)

Mr. Draper's booking for the conference had been confirmed.

MATTERS ARISING FROM THE EXTRAORDINARY MEETING HELD ON ON 11TH. JANUARY

Further Rental Valuation for the Shop/PO (p212)

The valuation was received on 23rd. January and forwarded to Hanna's Field Charity along with the brief and the statutory instrument applying to the valuation of charitable properties. The requirement to see Mr. Wright's business plan cannot be complied with as there is no business plan.



Handwritten signature and date: 27/2/03

Extraordinary Meetings

The Clerk requested that it be recognised that she has other employment, and will not always be in a position to provide the administrative service required for an extraordinary meeting for which she is given no advance notice. On this occasion the notice was a telephone call at around 10pm on the Monday evening. Having the meeting on the Saturday gave only one day in which to prepare the required paperwork which would not have been possible had the Clerk's other employment required her attendance elsewhere, which it often does. NALC recommended Standing Orders require motions for resolution proposed by councillors to be given to the Clerk in writing. Council might wish to adopt this procedure as good practice, as it prevents any misinterpretation of the motion. In the case of the Extraordinary Meeting the motion proposed by the Chairman at the meeting was not the same as that on the Agenda, the difference being significant and councillors should have been given the opportunity to consider the full proposition over the three days notice.

Councillors should note that two councillors may requisition the Chairman in writing for an Extraordinary Meeting.

CORRESPONDENCE

It was agreed to defer Item (a) to the end of Correspondence in order for it to take place after Public Question Time. In the event no members of the public arrived.

b) Elections

It was noted that the election timetable has been received from CBC. Nomination papers must be delivered to CBC no later than noon on 1st. April. Applications to change a postal or proxy vote or to have it sent to a different address must be made by 5pm on 11th. April. Nomination papers will be available from the Clerk locally or CBC.

Messrs. Parker and Wigglesworth reported that they would not be standing for election.

c) Proposed Regional Government Arrangements in England

Lord Hanningfield Leader of Essex County Council has asked for comments on the Government's proposals for Regional Government. The Clerk is to respond that PC can see no case for a regional assembly and would have no support for 'another talking shop'.

d) Community Evening: Thursday 24th. April.

PC was asked to nominate a person to attend the Mayor's reception and buffet.

The Clerk is to respond that PC does not feel that this event is a worthwhile use of public money.

a) Broadband

Scott Matheson had prepared an explanatory report regarding the actions PC might take with regard to seeking to have broadband provided for the community.

The Clerk was instructed to respond to Mr. Matheson that his briefing note had been very informative and easily understood, and therefore useful. He is to be thanked for the information provided and applauded for his initiative, but informed that PC does not wish to get involved at this point in time.

FINANCE**a) Appointment of Independent Internal Auditor**

the retiring Clerk to West Hanningfield Parish Council was approached to find out if he would be interested in acting as independent internal auditor. He declined.

Heelis and Lodge have been approached as known to the Clerk who can vouch for their competence. There have been recent questions raised about the independence of clerks who are internal auditors for the councils of other clerks whom meet as members of the SLCC, and taking this into account several names on the EALC list of IIA's had been discounted. Heelis and Lodge are on the EALC list, are based in Suffolk and therefore do not participate in the SLCC Essex Branch activities with which the Clerk is involved. They are both clerks to local councils, have passed the certificate in Local Policy with the University of Gloucestershire, and are involved in providing training for the Suffolk Association of Local Councils.

Mr. Wigglesworth said he would be available to carry out the internal audit after his retirement from the Council in May, but it was agreed that he could not be considered independent as far as this year's accounts were concerned.

It was agreed that Heelis and Lodge should be appointed to carry out the independent internal audit of the accounts at the end of this financial year at the charge of £65 plus expenses. The Clerk's suggestion that there should be an intermediate internal audit this year due to the large sums passing through the accounts was dismissed as unnecessary.

b) Risk Assessment.

The Clerk informed PC that evidence of risk assessment should be in place by the end of the financial year, and asked if there was a councillor experienced in this matter who could assist in the preparation of a risk assessment.

It was agreed that the Clerk should produce a draft to be presented to Mr. Wigglesworth for modification, the process to be complete in time for the internal audit.

c) Half Term Activities

It was noted that an offer by Chelmsford Borough Council to provide sports coaching during the school half term break had been accepted by the Clerk using delegated authority. Cost £40 for coach plus rent for court. The coaching will take place from 1-4pm on Thursday, 20th.

The Clerk was instructed to ask CBC for leaflets to be distributed at the School.

d) Payments

The following cheques had been signed between meetings:

To	NET £	VAT £	Total £	Explanation	Power
Oakwood Developments 4/1/03	8956.00	762.62	9718.62	3 rd interim payment	LG(MP)Act 1976 S19
Weight Wolny & Trusler 11/1/03			120.00	Payment on account for legal services	LGA 1972 S111

The following cheques were signed:

27/2/03

To	NET £	VAT £	Total £	Explanation	Power
EALC			39.00	Fee for Commons training day	LGA 1972 S111
LCR			11.59	Annual subscription to Local Council Review	LGA 1972 S111
Cameron Taylor Bedford	358.00	62.65	420.65	Invoice No. 335828	LG(MP)A 1972 S19
K. Plumridge			593.95	Salary etc January	LGA 1972
Oakwood Developments *	17362.65	1678.61	19041.26	4 th interim payment Invoice No.414	LG(MP)A 1976 S19

*It was noted that the amount on the Oakwood Invoice did not comply with the amount on the covering letter from Cameron Taylor Bedford, and that the cheque from PC was not for the total value of the invoice. This was for the following reasons.

- Oakwood's invoice originally asked for £244630.55 & VAT of £2358.65. CTB advised that one element should be reduced. Oakwood decided that rather than dividing a payment they would rather leave it off completely until the next invoice.
- Four items should have been zero-rated but were not, so the VAT element has been reduced.
- HFC are to pay £3468 & VAT of £267.07. This brings the PC element to £17362.65.
- with HFC's VAT deducted as well the VAT payable by PC is £1678.61.

It was also noted that £2152 should be transferred to the current account from the special account which holds the grant from ECC to HFC.

The following receipts were noted:

From	To Account	Amount £	Explanation
HM Customs & Excise	Current	3848.97	VAT refund 1/8/02-30/11/02
National Savings	Savings Account	457.95	Annual interest
Barclays	Current	78.78 40.67 31.05	Interest on treasury account deposits

It was noted that a transfer has been arranged for £15,000 from the National Savings Account to the Current Account by crossed warrant in order to cover cash flow, with effect from 11th February.

27/2/03

Solicitor's Fees

It was noted that Weight Wolny and Trusler who have been advising Parish Council and Hanna's Field Charity on the proposed lease have carried out work to the cost of £1000 & VAT. The Parish Council felt that the Charity should bear some of the cost of this as they will be benefiting from the rent.

It was agreed that half should be paid by PC and half should be paid by the Charity, that no cheque should be signed at this time, and that the Clerk should contact HFC to ask them to pay half of the WWT fees. WWT are to be asked to estimate the remainder of their costs.

Rent for Meetings

Although it was accepted that PC will have to pay rent for the use of the Village Hall for meetings in order for there to be seen to be no recompense in kind for the construction of the building, in order to comply with the VAT requirements, PC want to see the rent rate before agreeing to the payment.

The Clerk was instructed to ask HFC to be informed of the hiring rate for PC meetings.

PLANNINGa) Planning Applications

02/02183/REM The Bungalow, The Tye (Reserved matters for proposed new two storey dwelling)

It was not possible to tell from the plans how the height of the proposed building compares to the neighbouring houses. PC therefore has no objection to the proposed house as long as the ridge height does not exceed that of the neighbouring house to the north.

02/02621/FUL Crossfields, The Common (Change of use of part of barn to Class B1 to allow manufacture of cricket bats and similar items).

PC objects to the proposed change of use. The site has poor access to the road network. There are industrial units available in the village. The buildings have not been used for agricultural purposes in the memory of the Council.

03/00068/FUL Creephedge House, Creephedge Lane (first floor extension to rear and side).

The Chairman had returned this application to CBC as it was for a property outside of the parish.

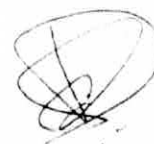
03/00117/FUL South Gibcracks Farm, Bicknacre Road, (creation of a lake for recreational/conservation purposes).

In order to maintain the open aspect of the Danbury Ridge Conservation Area all spoil should be removed from the site and should not be used to create alien contours. The lake should be strictly for the domestic recreational use of the occupants of the dwelling. Planting should enhance the biodiversity of the site using rarer species of local stock, rather than just planting more of what is already there.

02/02657/FUL Hyde Hall, Hyde Hall Road Rettendon (New visitor centre and associated facilities, parking and access road)

PC noted a written report from the Clerk and a verbal report from the Chairman on their attendance at a presentation at Hyde Hall on Thursday 16th. January.

PC has no objection to the proposed visitor centre and associated facilities. PC objects to the proposed access. The Council believes that a way should be found to prevent the traffic travelling to the site from passing through the surrounding settlements. The access should be



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via the main road network and the Council therefore proposes that the A132 should be used as the route to the Gardens via the Shaws Farm roundabout at Creep hedge Lane.

03/00085/FUL Hanningfield Service Station, Southend Road (retain use of lane for storage, cleaning and sale of motor vehicles).

PC objects to this application which would constitute a visual intrusion in the open countryside.

Miss Waters gave her apologies and left the Meeting at this point.

VILLAGE HALL PROJECT

a) Letter from M. Plumridge, Treasurer, Hanna's Field Charity

Mr. Plumridge had attended the Extraordinary Parish Council Meeting on 11th. January in his capacity as Treasurer to HFC, and had subsequently written to PC because some of the discussion concerning the Charity's role, responsibilities and legal requirements in his opinion was confused or incorrect. His letter sought to clarify these matters.

The contents of the letter were noted.

The Chairman stated that some of Mr. Plumridge's letter was inaccurate but declined to say what the inaccuracies were.

b) Clerk's Report on Progress.

Completion date is expected to be about 10 days behind originally anticipated date of 31st. January. The anticipated opening day of the shop is now 5th. March. Work has been held up recently by problems identifying building regulations requirements with regard to the meeting room. Plans have had to be changed to accommodate a wider ambulant staircase, which has had to be widened again to accommodate a chair lift. The extra width had required changes to the upper floor which was already insitu. The Charity is critical of Cameron Taylor Bedford for not identifying these problems when it was known all along that Option 1 was required if affordable and that the upper floor must be convertible to a meeting room for public use.

At the recent Working Party meeting it was agreed that if the building could not open to the public without the buildings regs. completion certificate, and the certificate for the meeting room could not be achieved in time for the anticipated opening date for the shop then building regs. approval for the storeroom should be sought instead.

The electrical equipment for the shop has been ordered, but sufficient shop fitters' quotations have yet to be achieved. At the Working Party meeting it was agreed to seek quotations from carpenters, and this has been done but with no successful outcome.

Cameron Taylor Bedford have indicated that there is likely to be an increase in their fee. Hanna's Field Charity considers that this should be challenged.

The draft lease has been with the post master since 8th. January, with no written response to date. He had made the verbal comment that he wanted a 21 year lease. The Charity is unable to grant this without referral to the Charity Commission and then permission is not guaranteed (permission is unlikely because a longer term lease implies security of tenure which the CC is against.) Initial queries about the lease have been answered by the solicitor.

The Strutt and Parker valuation was received on 23rd. January, and passed to the Charity with a copy of the brief and the statutory instrument applying to the valuation of charitable properties. HFC have opened negotiations on the lease and rent. Information concerning the negotiations is withheld due to its commercially sensitive nature.

27/2/03

CTB advises that Oakwood have been asked to quote for the additional cost of providing non-slip flooring to the shower rooms. Oakwood have advised that this would cost £175.

An interim report has been sent to the Countryside Agency, with a photograph of the building.

c) Report from Hanna's Field Charity Presented at the Meeting.

i) Rent and Lease Negotiations:- The Charity Executive had met on 22nd. January to agree the approach for the lease and rent negotiations, which would be that the Treasurer would undertake the negotiations on the basis of the Elwell valuation, other valuations being noted, that further advice should be sought from Elwell, and that the post master should not be allowed to move into the premises until the conditions of the lease are agreed.

ii) CTB's Intention to Claim for Extra Work & for Increase in Contract Value:- The Executive have discussed this and believe that CTB's claim is not valid because the rework was to a large extent due to a failure on the part of CTB in the first place to understand that the first floor meeting room was always a part of the hall building specification. The Charity feels that PC/HFC could make a counter claim against CTB for professional negligence since there was no warning of the potential problems with fire regulations and disabled access requirements.

iii) HFC & Tom Wright Meeting:- A meeting has taken place to discuss the lease and rent figure. Mr. Wright had identified some points for clarification in the lease. His comments have been passed to the solicitor. The discussion concerning the level of rent continues and is confidential.

d) Further Necessary Action.

It was agreed that the Strutt and Parker valuation is to be circulated.

The Clerk is to deal with the matter of the non-slip flooring using delegated authority in consultation with Chairman and Vice Chairman.

ANNUAL PARISH MEETING

It was agreed that the Annual Parish Meeting should take place before the end of the term of office of this Council, and will therefore take place in April.

ORBIT & LOIS

The Chairman proposed that responses should be sent to the recent papers on Report Recommendations the London Orbital Multi Modal Study and on the London to Ipswich Multi Modal Study.

Mr. Parker gave his apologies and left the Meeting at this point.

It was agreed that PC should not respond and the reports were noted.

MATTERS FOR REPORT

a) Old Church Road Footway

The footway is not walkable. CBC is to be informed.

b) Intermittent Electricity Supply

Homes in the area of the Main Road/ Old Church Road junction are losing power. The problem is under investigation.



27/2/03

c) Obstructive Parking Bicknacre Road

Parking outside the house under construction is causing problems and some residents have reported the problem to the police.

d) Horses on Footpaths

It was suggested that there should be a reminder in the Newsletter that horses should not be ridden on footpaths. The Footpaths Officer is to be informed that horses are riding on the path 3 fields behind the Old Forge.

Mr. Williamson gave his apologies and left the Meeting at this point.

e) Burst Water Main – The Tye

There had been a burst at a joint on the new main. It is still under repair.

f) Howe Green Traffic Lights

It was thought that the works requiring the lights would be completed shortly.

g) Tye Noticeboard

It was noted that this needs recoating, and Mr. Harvey had been instructed to do it some time ago.

h) Crossrail

It was noted that the crossrail to Basingstoke has stopped.

i) Shop Opening

The shop will open shortly after the publication of the next Newsletter, and therefore it would be appropriate for an article about the services provided to be included.

j) Diamond Service

The Clerk reported that she had been walking towards the bus stop by the Windmill shortly before 3pm that day, and the bus had driven straight past without stopping. The Chairman undertook to report this at his meeting with the bus management the following morning.

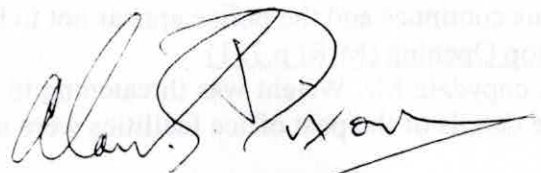
k) Criminal Damage to Football Pitch

A car had been driven on to the football pitch, had done considerable damage to the turf and then got stuck and was abandoned. The Police had traced the owner, and had passed his details on to the Charity to pursue for restitution.

l) Accident – Old Church Road Junction

There had been a hit and run accident on 29th. January.

Thee being no further business the Meeting closed at 10.48 pm.



Chairman

27th February, 2003

A Meeting of the Parish Council was held at 7.32 pm in the Village Hall on Thursday, 27th February, 2003.

PRESENT

Mr. Dixon in the Chair, Messrs. Applegate, Wigglesworth, Williamson and Miss Waters. The Clerk, Christina Barnet, ECC Project Engineer, Joline Horner and Norman Robinson, CBC officers, and four members of the public were in attendance.

APOLOGIES FOR ABSENCE

There were no apologies.

MINUTES OF THE PREVIOUS MEETING

The Minutes were signed as a true record of the Meeting held on 30th January, 2003. It was noted, however, that Mr. Applegate had sent his apologies, due to the diversion of his flight, but that they had not been received by the Clerk until after the Meeting.

Messrs. Draper and Parker arrived at this point.

MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 30TH JANUARY

Elections (Cb p.215)

Nomination forms are available from the Clerk on request.

Proposed Regional Government Arrangements in England (Cc p.215)

Receipt of PC comments has been acknowledged.

Risk Assessment (Fb p.216)

The Clerk was to attend a lecture on this subject at the weekend and therefore she and Mr. Wigglesworth have decided to defer the compilation of the risk assessment until later.

Old Church Road Footway (MfRa p.220)

The footway had been cleared.

Obstructive Parking, Bicknacre Road (MfRc p.221)

This continues and the police appear not to be interested.

Shop Opening (MfRi p.221)

At copydate Mr. Wright was threatening to resign and there was no known date of opening, so the details of the post office facilities were not included.

CORRESPONDENCE

a) Half Term Sports Coaching

CBC has reported that 20 children attended the indoor sports coaching session on 20th February. This was considered a very good level of attendance.



27/3/02

b) Broadband

CBC had made an application to the East of England Development Agency for a grant to fund a consultant to produce a bid for funding the installation of broadband across the borough. A follow up letter gave notice that the consultant had been appointed and asked for statistical information regarding the parish. All those interested are requested to register for broadband but businesses are to be particularly encouraged as they have ten votes as opposed to individuals' single votes.

c) Best Kept Village Competition

It was agreed that this should be brought back to the next Meeting for a decision, and the information regarding entries should continue in circulation. Mr. Applegate undertook to make the application should PC decide to enter the competition.

FINANCEa) Rent for Meetings

HFC had provided PC with the option of paying £20 per evening meeting or the rate of £7.50 per hour which is the booking rate for all times of day.

It was agreed that PC should pay the hourly rate, and that a cheque should be signed between meetings as soon as an invoice was received from HFC for the January and February Meetings.

b) Solicitor's Fees

The Charity had responded to the request for a 50% contribution to the solicitor's fees regarding the lease and associated legal advice. They pointed out that they had not wanted the responsibility of the lease and were only persuaded to take it on only in November. They believe the lease is a one off set up charge which it is the Parish Council's enabling function to fund. Although HFC will be receiving the rent, at present calculations this will bring in only £400 per annum in extra income, and as rent is not payable in advance any contribution to the solicitor's fees will be out of reserves. Charity reserves have been considerably reduced in the past year, hire income is down and there is a continuing commitment to resurface the car park. They are not a cash rich organisation and will take some time even with the rent to rebuild reserves. They therefore offer a fixed and final contribution of £500 including VAT.

PC agreed to accept the contribution of £500.

The Clerk was instructed to find out how much the solicitors anticipate their final fee to be. It was agreed that the Clerk should proceed with the work for a fee of up to £500.

Should the final fee be more than an extra £500, the Charity might be approached again for a further contribution.

c) Mowing Contract

It was noted that the three year mowing contract had expired and new competitive quotes should be sought. Mr. Jacobs had withdrawn his quotation.

d) Payments

The following cheque had been signed between Meetings:

To	NET £	VAT £	TOTAL £	Explanation	Power
The Printing Place			198.00	Spring edition of Newsletter	LGA 1972 S142

The following cheques were signed:

27/3/02

To	NET £	VAT £	TOTAL £	Explanation	Power
ACDPC			21.00	Subscription for 2002/3	LGA 1972 S143
Premier Transline Hire	95.34	16.68	112.02	Portacabin hire for February	LG(MP)A 1976 S19
Hanna's Field Charity			125.00	Preschool rent 1 st half of Spring Term	LG(MP)A 1976 S19
Hanna's Field Charity			15.60	Rent for ½ term sports coaching	LG(MP)A 1976 S19
Weight Wolny & Trusler	574.47	100.53	675	Solicitor's fee less HFC contribution of £500	LGA 1972 S111
Garden & Woodcraft Services			595.00	Tree surgery to willows on Tye	Public Health Act 1875 S164
Chelmsford Borough Council			40.00	Sports Coaching at ½ term	LG(MP)A 1976 S19
K Plumridge			598.86	Salary & reimbursements February	LGA 1972 S112

The following Direct Debits were noted:

To	Amount £	Balance Outstanding	Explanation	Power
Public Works Loan Account 24/2/03	248.36	232.28	Field Loan	LGA 1972 Sch 13 S1b
Public Works Loan Account 11/3/03	495.94	1875.00	Hall Loan	LGA 1972 Sch 13 S1b
Public Works Loan Account 11/3/03	2194.62	69243.00	Extension Loan	LGA 1972 Sch 13 S1b

The following receipts were noted:

From	To Account	Amount £	Explanation
Barclays 3/2/03	Current	26.12	Treasury Account interest
Chelmsford Borough Council 14/2/03	Current	6000.00	1 st . half of Village Hall grant.
Essex County Council 24/2/03	Village Hall	1155.38	ECC Grant to HFC
Hammerhead Divers 25/2/03	Current	30.00	Newsletter income
S Woodward 25/2/03	Current	10.00	Newsletter income
Angie's Aerobics 25/2/03	Current	6.00	Newsletter income

27/3/02

Builder's Invoice

It was noted that an invoice had been received from Oakwood, but the covering letter from CTB was awaited. A cheque would be signed between Meetings on receipt of the letter from CTB.

PLANNING

03/00155/FUL 7 Industrial Estate, Old Church Road, (demolish workshop and erect new workshop & offices).

There was no objection to the proposed development.

03/00257/FUL Plough & Sail, Southend Road (Illuminated and non-illuminated signs).

There was no objection to the proposed signs, but regret was expressed at the loss of the historic name of the public house.

03/267/OUT 18 Industrial Estate, Old Church Road (factory unit extension).

There was no objection to the proposed extension.

03/02092/OUT Mill Hill Farm, East Hanningfield Road, Sandon (Class 2 care accommodation & ancilliary buildings with landscaping and access arrangements).

The previous response still stood.

03/000308/FUL Alands Farm, Back Lane (revocation of condition attached to planning permission dated 20/6/66 requiring agricultural occupancy).

PC objected to the proposed loss of agricultural occupancy requirement on the grounds of policy.

VILLAGE HALL PROJECTa) Clerk's Report on Progress

It has been found that concrete has seeped in and blocked the field drain. Oakwood is to lay a new drain around the building for the price that was quoted for lining the old drain.

A copy of revised plans showing 1st floor windows has been sent to CBC Planning, and receipt acknowledged. Revised plans showing changes required for Building Regulations approval of the 1st floor Meeting Room have been supplied by CTB, who confirm that CBC are now satisfied with the changes and have passed the plans to the Fire Safety Officer for approval.

In the VH side external windows have been painted, ground floors screeded and ceilings plastered. Oakwood have confirmed that they will fit the vinyl safety surface in the shower rooms but no flooring can go down till the screed has dried. Most of the electrical wiring is complete.

The new steel stairs will be fitted week beginning Monday 3rd March. The meeting room/kitchen walls and ceilings have been plastered. HFC has obtained quotes for chairlift installation.

The ceilings and floors in the shop are finished and first coat of paint applied to walls. Shop wiring installation has been completed but heaters are not yet installed. The shop toilet and kitchen equipment is installed, but the vinyl floor cannot be installed until the screed is dry enough.

The freezers, dairy cabinet etc equipment ordered by HFC is ready for delivery. HFC has obtained three quotes for shop fitting however one is outside the budget and the other from a carpenter needs investigation as it doesn't comply with the Charity specification for the work.



27/3/02

A fourth quote from a local professional shop fitter is imminent (a number of other carpenters and shop fitters either declined to quote or did not respond). HFC have confirmed that they will buy Mr Jake Singh's second hand shelving units.

Mr Wright says that due to absence of Lease The Post Office have in consultation with him delayed equipment installation from 5th. March to 16th. April.

HFC has just discovered on checking the dimensions on the Post Office plans for the fortress that it is significantly larger than their overall plan shows, resulting in the need to change the shop counter from straight to L shaped in order to maintain the shop floor sales area. As a result it has been necessary to ask Oakwood to move some electrical sockets and the shop storage heater which will involve some additional expense.

It should be noted that the Shower Benches & Baby Changing Unit are not to be provided by Oakwood, and were shown on the schedule as items to be provided by PC with an estimated cost of £1800. They are therefore covered in the budget.

b) HFC Report from M. Plumridge, Treasurer

Since HFC wrote to the Parish Council on the 8th February regarding an impasse reached in the negotiations with Mr Wright and his threat to resign, they have had an offer to which they have responded, based on a rent of £2500 inclusive linked to turnover.

In summary they feel the Charity has gone more than the extra mile in these negotiations to get an agreement with Mr Wright. An inclusive rent of £2,500 equates to a basic ie exclusive, rent of about **£1,800** per annum (when rent for the shop equipment, water sewage, refuse, building insurance and maintenance are excluded) and he would only pay more if his turnover goes up.

The negotiations have been considerably prolonged because Mr Wright believed HFC would settle for a rent of £2,500 per annum inclusive on the basis of prior agreement and discussions with Mr. Dixon last summer. (In the absence of any rebuttal from Mr. Dixon the Charity believes that Mr. Wright's report of the discussions is correct). Had the Charity been aware of this at the start it would have taken less time to reach the point they are now in negotiations.

The Charity Executive hopes Mr Wright accepts their changes to his formula for rent increase with business turnover and that he does not ask the Post Office to delay the equipment installation any further.

The Charity believe they can show the Charity Commission if queried, or if they discuss the rent with CC as part of approval for a 20 year Lease for Mr Wright, that they have done everything possible to follow the Charities Act requirements on disposal of the Charity property, given the circumstances.

They hope Parish Council members are also satisfied, in their position as Custodian Trustees to the Charity, that this has been the case.

Mr Wright's changes to the Lease have been forwarded to Wright, Wolny and Trusler and do not present a problem, but the Lease will not be amended until agreement is reached on the rent.

HFC reminds PC of the request for replacement of current finger post with something more appropriate.

The Charity supports Mr Wright in the idea of Temporary A-boards at the entrance to the Chase to attract passing traffic.

Mr Wright asked if PC and HFC would consider installation of bollards in front of the Shop to deter ram-raiders, and installation of Closed Circuit Television. HFC supports the installation of CCTV but presently has insufficient funds to install it.

27/3/02

Committed expenditure including the First Floor additions including the new Stairs/Stairlift now come to £17,216. There are some outstanding unknowns, but the £16,500 EEC grant will not be enough to complete the meeting room kitchen and the additional cost of bring the Meeting Room into use as well as carpet & furnishings will have to be born from the Charity's depleted reserves.

HFC still believe that CTB's claim for additional work is not valid because CTB continuously failed to recognise that the first floor meeting room was always a part of the hall building specification and therefore the drawings were required for the extension, whether achieved in the current phase, or at later date. Additionally when it was agreed the building would have a first floor in the building phase they failed to advise properly when the enabling work was specified for the 1st floor as to what would actually be required for the conversion from a store room to the Meeting Room. A reasoned argument will be prepared by the Charity for CTB.

c) Bollards

It was noted that Mr. Wright had expressed a wish that anti-ram-raid bollards be installed in front of the shop. It was agreed to purchase 4 Glasdon 'Guardman' bollards at £734.96.

It was agreed to ask Oakwood for a quotation to install the bollards, and the Clerk was delegated to proceed to authorise the work should the quotation be within £500.

d) Plastering

The condition of the blockwork in the former shower room which is to be part of the new hall way has been found to be very poor and irregular. Oakwood have been asked to quote for plastering of this area and have come up with a price of £810 for the whole corridor.

It was agreed to pay for the plastering of the ground floor corridor by Oakwood out of the contingency fund at a cost of £810.

e) Further Action

The Chairman was asked whether he had agreed a figure with Mr. Wright. He replied that he had not and that the figure was in the public domain.

The Clerk is to produce an updated account of contingency expenditure for the next meeting.

The Chairman reported that CBC is investigating what new signage would be permissible with regard to the fingerpost.

LENGTH OF MEETINGS

The trial period whereby the Clerk was given the choice to call meetings at 7.30pm if the amount of business appeared to warrant it had expired. The last meeting began at 7.30pm and ended at 10.45.

It was agreed that there should be a permanent arrangement whereby the Clerk will call Meetings for 7.30pm if she considers that the amount of business warrants an earlier start.

It was also agreed that PC should aim to end Meetings by 10.30pm, and shortly before that time should prioritise the items of business that remain, and defer those that can be left to another Meeting.

ALLOTMENT SITE

Chelmsford Borough Council has received a request from Mr. Mead of 1 Scarles Croft to allow him to pass over the access to the allotments in order to park his car in a proposed garage in his back garden. The allotment holders have been informed of the request. Inspection of the site on



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Friday, 21st. February, showed that several of the matters that the tenants had complained about had not been resolved, and that the site has been further despoiled. Chain link fencing and builders' rubble has been left on site. An old broken drain cover has been left beside the newly installed drain cover. Brick rubble has been dumped in the ditch. Leylannii cypress trees have been planted in the indigenous hedge. A broken double glazing panel has been left on the grass beside the ditch. Hard standing has been spread across the access from the front garden of No 1 as far as the hedge, and has been used for parking, as it has oil stains.

The Clerk is to respond to CBC that PC has no objection to the proposed use of the access, but it should not become a parking spot for the householder or his visitors. PC is concerned about the present condition of the allotment access and would wish it to be restored.

PLAY EQUIPMENT

The Parish Council agreed that the Clerk should seek quotations for possible refurbishment, this depended on the level of rust below ground, and to seek quotations for impact reducing surfacing around the three items. As this was not an urgent matter and there was an instruction to prioritise the village hall project, the matter was put on hold with the expectation it could be picked up at the end of the village hall project and still be in time for the next RoSPA inspection. Also, the PC budget of £2500 for this expenditure will not be available until the new financial year.

In the meantime, a survey of local views on the future of the play area has since been undertaken and completed by HFC. The survey found that the future improvements required were: 1) More swings including baby swings; 2) New climbing equipment; 3) Separated areas relevant to age groups; 4) Another bench. At the recent HFC meeting the Charity decided to present their ideas for replacement equipment for funding support from PC, although aware that PC had not budgeted for new equipment.

The equipment has been inspected below ground level and the swing and slide found to be rusty but treatable. The climbing frame being galvanised is acceptable.

The manufacturer of the climbing frame has not been identified but the manufacturers of the clamps has been found and approached for information regarding costs and availability of the tubing.

It was agreed to proceed with the repairs as previously agreed.

MATTERS FOR REPORT

a) Village Tidy Up

Mr. Applegate proposed that the Tidy Up should be held on Saturday, 10th. May. He asked councillors to let him know if there would be a problem with this. The Tidy Up is to be an Agenda Item for the March Meeting.

b) Three Horseshoes

It was noted that two of the posts at either end of the grass island had been knocked over, but PC no longer had permission to maintain the area. The area is to be checked in a week's time to see if the situation continues.

Following an informal visit by Mr. Draper the second A board has been removed from the village green.

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c) Annual Parish Meeting

The arrangements for the Annual Parish Meeting are to be reviewed at the next PC Meeting.

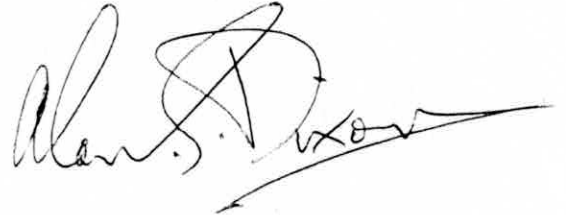
d) Housing Trusts

The Clerk reported that she had been made aware that a second housing trust had been approached by a landowner in the parish. As the matter revolved around the same plot of land the second Trust would not act unless informed that the first was not going to develop the site.

e) Waste Collection

It was agreed that Barry Saunders should be invited to address the next Meeting on the subject of the new arrangements for the collection of waste and recyclables.

There being no further business the Meeting closed at 10.31.



Chairman

27th March 2003