



FOXEARTH & LISTON PARISH COUNCIL

Parish Clerk / RFO: Kevin B. Money
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Minutes of the Parish Council Meeting held on 16th. March 2023 at 7pm in Foxearth Village Hall.

Present: Cllrs M. Posen (Vice-Chairman), F. Binks, S. Ham, K. Holmes, K. Robson and Kevin B. Money (Parish Clerk). There were also 18 members of the public present

021/2023 Vice-Chairman welcome. In the absence of the Chairman, Cllr T. Clayton, Cllr M. Posen (Vice-Chairman) welcomed everyone to the meeting and wished Cllr T. Clayton a speedy recovery

022/2023 Apologies for Absence were received from ECC Cllr P. Schwier, BDC Cllr I. Parker and Cllr T. Clayton

023/2023 Declaration of Interest

To declare any Disclosable Pecuniary, Pecuniary or non-Pecuniary Interest relating to items on the agenda. Cllr M. Posen declared an interest in Item 033/2023

024/2023 To approve the Minutes of the last meeting of Foxearth & Liston Parish Council

To receive and agree the minutes of the last F&LPC meeting held on 19th. January 2023. **All Agreed**

025/2023 Chairman's report and any update since last meeting

In the Chairman's absence Cllr M. Posen (Vice-Chairman) said that

Our Chairman, Tony Clayton, is unfortunately not able to attend tonight's meeting, so he has asked me to take the chair on his behalf.

Tony has asked me to report that the repairs to the Liston Boardwalk were very timely as last weekend Liston Lane was made impassable by flooding and the boardwalk really came into its own. Tony has asked me to pass on his thanks, and the thanks of the Parish Council, to our District and County Councillors for their assistance in getting the job done.

Aside from this, the only other things to report are going to be discussed at other places in our agenda: the traffic at Rodbridge and Red Cottages, and the purchase of a speed-indicator sign for use in Foxearth, so I won't say anything more about those things now.

Finally, I'd like to remind everyone that we will have Parish and District Council elections on May 4th, and you will need specific ID to be able to vote in person. If you don't have suitable ID then you can apply for a postal vote. The Clerk will give a more detailed update later in the meeting.

026/2023 Essex County Councillors report – ECC Cllr P. Schwier

Cllr P. Schwier had circulated information from ECC which has been forwarded onto Councillors

027/2023 District Councillors report – BDC Cllr I. Parker

Cllr I. Parker submitted a report prior to the meeting. It read

1. Council Tax

BDC recognises the cost of living pressures faced by residents and have tried to keep the increase in Council Tax as low as possible. The Council Tax increase for the next financial year will be 2.5% which is less than the maximum allowed. In addition, BDC will be giving Council Tax payers a £25 rebate which will result in a reduction in the overall amount of money due, with the greatest percentage reduction afforded to those in the lower tax bands (Bands A -C). This money has come from a fund set aside to contribute to a slip road project in Braintree which now looks unlikely to receive funding from Government

2. BDC budget

The BDC budget for 2023/24 and Medium Term Financial Strategy for the next 4 years was agreed by the Council at its meeting in February. The budget was set against a background of inflation of more than 10% and staff pay increases which were higher than anticipated. This had led to a large budget gap over the MTFS of £2m which had to be addressed.

Main highlights of relevance to my ward are:

- £1m to be distributed through community organisations such as foodbanks to help those facing serious difficulties with the increase in the cost of living;

- £400k to deliver a plan for economic growth and a housing strategy;
- Councillor Community Grant Scheme to continue;
- No reduction in Street Cleaning grant to parish councils for the forthcoming year;
- Recycling calendars to be withdrawn as information available on BDC website (paper copies will be available for those without access to the internet);
- Investigation into the possibility of making a small charge for garden waste collection to help meet budget gap (the majority of councils now charge for garden waste collection).

3. Local elections

Elections for Braintree District Council will take place on 4th May. Voting in person will require presentation of Voter ID. Acceptable ID includes a UK or EU passport, a photocard driving licence, a blue badge, a bus pass or a PASS card. If residents do not have ID, they can request a Voter Authority Certificate from BDC.

4. Potholes

I have been reporting a number of potholes in my ward on the Essex Highways website and am finding that they are being filled in with 24 hours. Do continue to report any potholes you find.

028/2023 Public Participation Session

The Chairman will invite questions and observations from members of the public present.
 A resident spoke about the church clock BST will start 2 days earlier due to travelling to Scotland
 Concern about speeding through the villager and potholes in the area
 A meeting between Highways department to set up a meeting
 Liston Lane caravan has been removed but the site has been left in a dreadful state. Horses are left to fend for themselves. The Clerk to speak with BDC Cllr Iona Parker.
 To tackle speeding a "Speedwatch team" should be reinstated. Training is now done on-line
 Pentlow, Borley and Foxearth to work together to tackle speeding in all villages
 Noticeboard requires painting attention

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The applicant spoke about planning application 23/00268/OUT and informed the meeting of his history to the village. He then spoke about why the application was submitted.

Residents then spoke about their reasons for objecting to the application.

A resident spoke about the village should grow and to encourage youngsters back to the village

The applicant summed up the meeting

a) Election 2023 – Update from Parish Clerk

The Clerk has forwarded to Councillors the 2023 Election nomination pack and BDC timeline.

The Clerk informed residents again that voting ID cards Must be produced at the voting station.

All election information can be found at <https://e-voice.org.uk/foxearthandliston-pc/may-elections-2023/>

029/2023 Footpath update – Cllr K. Robson

A contract with Essex Footpath Service level agreement has been obtained and will engage a "handyman" for undertake the works. The agreement still has issues to be resolved.

Liston footpath landowner has objected to the footpath being used by residents. An email from the Essex Legal Services which states that the Definitive Map Modification Order No 696 Footpath11 Liston

Following service of the above mentioned order an objection has been received on behalf of the owner of Liston Hall on the grounds firstly that the evidence of public use is insufficient and secondly the there was an "interruption" to public use during the foot and mouth outbreak of 2001, as the adjoining paths numbered 2 and 5 Liston would have been closed.

In actual fact the closures in Essex excluded "metalled" paths which the attached "google street view" images show may have included Footpath 2 Liston, although Footpath 5 currently looks to be simply compacted earth.

Are your Council able to clarify the following points, possibly after contacting those witnesses who have submitted evidence in support of the application.

Are you able to clarify the nature of the surface of Footpath 2 in 2001. Would you describe this as metalled?

Is there anything in the Parish Council minutes for the period February to May 2001 relating to closures of public rights of way as a result of the foot and mouth outbreak?

Do any members of your Council, or your witnesses have any recollection of seeing any closure notices on or near footpaths 2 or 5? (There appears to be a notice board near to the entrance of Footpath 2) Notices were available to be downloaded from the website or could be requested by post. For obvious reasons staff did not physically erect them on site. I did speak on the telephone to Mr Colin Flux when this issue was first raised, who said that he did not recall seeing any closure notices,

The County Council are reconsidering their position in the light of this and may decide to take a neutral stance on its confirmation. In this eventuality would your Council be prepared to present the case in support in future proceedings? As the evidence is witness based a public inquiry may well be held to consider the objection.

030/2023 Highways and Transport issues

a) Traffic issues on the bridge at Rodbridge – Cllr M. Posen
The Clerk to chase ECC Cllr P. Schwier regarding the LHP form submitted.

b) Traffic issues on the bend at Red Cottages – Cllr M. Posen
Cllr M. Posen has produced another LHP for submitting to ECC Cllr P. Schwier regarding Speeding and signage at School Lane. **All Agreed**

A meeting with ECC Highways to be arranged to explain

c) Speed indicator device update – Parish Clerk
Councillors, having previously agreed to purchase a SID for Foxearth and Liston villages, the Clerk has placed the order for a portable Speed Indicator Device with SLOW DOWN legend beneath, battery powered complete with spare Lead Acid battery, “intelligent” charger, sign weatherproof cover and bracket set for a cost of £2940.00p + VAT
Also agreed to purchase was a Data Collection Unit (Bluetooth to an existing Android Device, costing £379.00p + VAT. Total price is ££3939.00p + VAT (£787.80p) = £4726.80p.
There is £1150.00p earmarked for the device in reserves which the RFO will transfer into the current account to offset the payment

031/2023 Planning Applications

22/03419/LBC - 1 Orchard Cottages The Street Foxearth CO10 7JG

Install an extractor fan and vent to bathroom at the top of the current dormer window and concealed with a decorative grate

The planning response was sent to BDC prior to their deadline date of 9th. February 2023

F&LPC have no objection to this planning application subject to the Conservation Officer's approval

23/00083/HH & 23/00084/LBC - Oak House Claypits Lane Foxearth CO10 7JD

Alterations to existing extension, to include: Erection of front porch. Addition of solar panels and 3No. dormers to roof. Replacement of windows. Replacement of existing balcony to west elevation with new guarded balcony. Extension of central roof apex section to form small roof supported by timber posts. Re-arrangement of internal layout to ground floor, insertion of new first floor structure within and relocation of existing modern staircase

The planning response was sent to BDC prior to their deadline date of 9th. February 2023

F&LPC have no objection to this planning application subject to the Conservation Officer's approval

23/00268/OUT - Land Fronting Mill Road Foxearth

Outline planning application with all matters reserved for the construction of 3 No. dwellings & garages.

RESOLVED: Object to this application. The site is outside the village envelope and the development is contrary to the development plan. Foxearth is an unsustainable location for further housing development as it lacks facilities and services and is not served by a bus route. The proposal would not meet an identified need for additional housing in the village and there are no special circumstances put forward that would justify an exception to policy in this case.

Mill Road is a narrow lane at this point and there is no information to satisfy the Parish Council that an acceptable access can be achieved to serve a development of three houses.

Councillors voted to F 1 Ag 4 Ab 0

23/00263/TPOCON - Foxearth House, The Street, Foxearth

Notice of intent to carry out works to trees in a Conservation Area:

5x Leylandii - reduce in height by up to 3m. Trees are between 21-45 DBH.

RESOLVED: Support this application subject to the Tree and Conservation Officer's approval

032/2023 Decisions made by BDC affecting Foxearth and Liston

No planning decisions have been made by BDC affecting either Foxearth or Liston villages

033/2023 Finance

a) To receive the Bank balances as at 28th. February 2023

Councillors noted the Bank balances as at 28th. February 2023

b) To receive the comparison of Actual against Budget 2022/23

Councillors noted the comparison of Actual against Budget 2022/23

c) Councillors to agree the February & March 2023 finances and to agree a transfer of any funds to meet the Parish Council's financial requirements. Cllr F. Binks proposed and Cllr K. Robson seconded.

All Agreed

034/2023 Items for Next Agenda

**035/2023 Date of Next Full Council meetings – THURSDAY 18th. MAY 2023 at 7pm
Which is the Annual Electors Meeting, AGM and Full Council meeting**

036/2023 Closure of the Meeting

To Close the meeting having considered and determined all items of business

The Vice-Chairman then closed the meeting at 8.15pm and thanked everyone for attending

Signed



18th. May 2023

**M. Posen
Chairman**