

## **RETTENDON PARISH COUNCIL**

**Minutes of the meeting of the Council held on Tuesday 23<sup>rd</sup> July 2019 at the Rettendon Memorial Hall, Main Road, Rettendon, at 7.30pm.**

**Present:** Cllr Mark Fleming (Chairman)  
Cllr Sandie Cottee  
Cllr Hazel Dale Evans  
Cllr Denise Fleming  
Cllr Roy Hart  
Cllr James Knight  
Cllr David Phillips  
Cllr Ray Ride  
Cllr Barbara Wright

### **The Clerk**

There were 17 members of the public present.

### **54-19/20 Apologies and Reasons for Absence**

There were no apologies to receive.

### **55-19/20 Declarations of Interest on Items on the Agenda**

Cllr D Fleming declared a non-pecuniary interest in Item 61-19/20, application 19/01147/FUL.

Cllr Hart declared a non-pecuniary interest in Item 61-19/20, application 19/01007/FUL.

Cllr M Fleming declared a non-pecuniary interest in Item 61-19/20 application 19/01147/FUL.

Cllr Wright declared a pecuniary interest in Item 61-19/20, application 19/01147/FUL.

### **56-19/20 Public Forum – strictly 5 minutes only per speaker**

A resident referred to Item 61-19/20, application 19/01013/FUL. He said vehicles travelled along the lane into an unlit bridleway around a blind bend. He said the lane was in disrepair and that the development of another four houses was unacceptable. He said the development would lead to rubbish collection vehicles entering the lane which would lead to a loss of privacy. He said his main objection to the application was the danger to those using the lane on foot and on horseback. He said this development on green fields was unacceptable and that all the residents of Bell Lane were opposed to it. He asked the Parish Council to object to the application.

Signed \_\_\_\_\_  
Councillor M. Fleming, Chairman

A resident said he had lived in Old Bell Lane for over 42 years. He said he would also object to this application. He said the past two years had seen a lot of equestrian development leading to an increase in horse riders, many of whom were young. He said even the milk float gathered speed along the lane. He said with the increase in equestrian use, rambling and dog walking the lane was a popular route, and the increase in vehicle use arising from this development would endanger life.

A resident referred to the recent sewage leak and the problem with access to the Sonters Down Play Area.

Cllr Cottee said she had been in contact with the Clerk regarding this issue.

The Clerk said she would contact Essex County Council to arrange the handover of keys.

A resident referred to the lack of lighting on the main road at the entrance to Hayes Country Park and asked if there had been any progress.

The Chairman said this would be addressed under a later agenda item.

A resident referred to the access to Sonters Down Play Area and said the equipment on the first vehicle that had responded had not worked. He said emergency vehicles would carry equipment that would enable them to access the area.

**57-19/20 To agree the minutes of the meeting held on Tuesday 25<sup>th</sup> June 2019.**

The minutes of the meeting held on Tuesday 25<sup>th</sup> June 2019 were **agreed** as a true record and signed by the Chairman.

**58-19/20 To receive the Essex County Councillor and Ward Councillors' reports.**

Cllr Clark said the City Council was planning to ban single use plastic, and that more measures to protect the ecology were planned.

He said homelessness and rough sleeping initiatives were to come.

He said Chelmsford Museum had reopened and was recommended for a visit.

He said four residents had contacted him and been referred on to housing officers.

Cllr Millane referred to the planning application for Old Bell Lane and said he had sympathy for residents.

**59-19/20 To receive a report from the Sonters Down Working Group**

Cllr Phillips said he was still trying to gather information and was waiting for Chelmsford City Council to provide this. He said he was looking for formal

contracts between Skippers and Chelmsford City Council and the Parish Council, and previous inspection reports.

The Clerk said she would forward the inspection reports and chase Chelmsford City Council for information.

Cllr Phillips asked about responsibility for the boundary fences.

The Chairman suggested approaching the previous Chairman of the Parish Council who might have relevant information.

#### **60-19/20 Finance**

- a) To agree to authorise invoices for payment, receive copy Bank statements and details of expenditure to date.

It was **agreed** to authorise invoices for payment as listed below, copies of bank statements and details of expenditure to date were received.

<b>Payee</b>	<b>Reason for Payment</b>	<b>Amount</b>
Staff costs	July salary/expenses	£712.32
Staff costs	August salary/expenses	£659.82
EDF Energy	Electricity – streetlights Q1 2019	£730.02
Stanley Tee LLP	Legal costs – 296339	£1,170.00
AK Hobson	Bus shelters 0536/0534/0535	£1,962.00
Starboard Systems Ltd	Renewal – software licence	£339.60
Barclays Bank	Commission charge	£2.00
RCCE	Renewal – subscription	£72.60
Rettendon Primary School	Donation	£1,500.00
All Saints Church, Rettendon	Churchyard maintenance	£1000.00
Battlesbridge Free Church	Churchyard maintenance	£750.00
<b>Total</b>		<b>£8,898.36</b>

- b) To receive report on payments and expenditure against budget figures for the first quarter 2019/20

The report on payments and expenditure against budget figures for the first quarter 2019/20 was received.

#### **61-19/20 To agree the response to the following planning applications (all applications are available to view at [www.chelmsford.gov.uk](http://www.chelmsford.gov.uk))**

The Chairman said application 19/01147/FUL would be taken first.

Signed \_\_\_\_\_  
Councillor M. Fleming, Chairman

The Chairman, Cllr D Fleming and Cllr Wright had declared an interest in this application and took no part in the discussion or the vote.

19/01147/FUL - Nine Acres Marks Farm Lane Rettendon Common Chelmsford Essex CM3 8HF - Replacement barn to be used for storage of agricultural equipment and materials and including the storage of hay.

It was **agreed** to support this application.

19/01137/FUL - Bridge Nursery Hawk Hill Rettendon Wickford - Construction of a horticultural building.

It was **agreed** to support this application. Cllr Hart expressed reservations about the skyline of Battlesbridge and changes to the nature of the village.

19/01007/FUL - Pine View Hawk Hill Rettendon Wickford Essex SS11 7RJ - Front extension with porch. Single storey side extension with internal changes to incorporate both extensions

Cllr Hart had declared an interest in this application and took no part in the vote.

It was **agreed** to support this application.

19/01038/OUT - Land South West Of Willowbrook Coalhill Rettendon Chelmsford - Outline application for a new dwelling with Access and Layout not reserved.

It was **agreed** to support the application. It was also noted that the application was on Green Belt land and the Clerk said she would include a comment to ask Chelmsford City Council to note this.

19/01013/FUL - Land North East Of 17 Old Bell Lane Rettendon Chelmsford Essex - Construction of four semi-detached two storey dwellings with private drive access and associated covered and open car parking.

It was **agreed** that the Council would object to this application on the following grounds:

- unsuitable access;
- over-development of the site;
- back development in an area where access is unsustainable;
- association of the bridlepath;
- unmade road, in a poor state of repair.

Cllr D Fleming asked for clarification regarding the stating of declarations of interest.

The Chairman said it was the responsibility of each Councillor to decide whether an interest should be declared.

**62-19/20 To agree to continue the High Court action in the matter of trusteeship of the Bell Fields, noting that the action can be halted should a mediated settlement be confirmed by resolution of the Parish Council**

Cllr Hart said he would like to make a statement under this item.

He said the High Court action could lead to the downfall of the Parish Council. He said as defendants they had kept their powder dry.

He read from the Acknowledgement of Service and said:

- three lady councillors had been invited to join as trustees;
- the precept was very small against the potential cost to the Council;
- the Parish Council had no insurance;
- the Council represented a threat to the charities;
- the purported trustees had the defence of the letter received by the Parish Council from Birkett Long and the Charity Commission guidance;
- the Parish Council had attempted to extinguish the charities which was totally contrary to the position of the purported trustees;
- football would be played there for evermore;
- he and the other defendants were now getting legal advice.

A recorded vote was requested.

Cllr Dale-Evans	Against
Cllr Phillips	For
Cllr Ride	For
Cllr Knight	For
Cllr M Fleming	For
Cllr Hart	Against
Cllr D Fleming	For
Cllr Cottee	Against
Cllr Wright	Against

It was **agreed** to continue the High Court action in the matter of trusteeship of the Bell Fields, noting that the action can be halted should a mediated settlement be confirmed by resolution of the Parish Council.

**63-19/20 To appoint a second representative to the Village Hall Management Committee**

Cllr M Fleming said Cllr Knight had been appointed as the Parish Council representative to the Village Hall Management Committee in May. He said the Chairman of the Hall Committee had rejected Cllr Knight as the Council's representative. He said he had discussed this with Cllr Knight. He said he did not believe it was within the Hall Committee's powers to refuse but that there was no point in pressing this. He said the Clerk had suggested making a second appointment.

It was **agreed** that Cllr Cottee would be the Parish Council representative on the Village Hall Management Committee.

Proposed: Cllr Knight                      Seconded: Cllr M Fleming      (Unanimous)

The Chairman reminded Councillors that they could be asked to leave the meeting if their behaviour was not appropriate.

**64-19/20 To agree to commemorate the 75<sup>th</sup> anniversary of VE Day in May 2020**

It was **unanimously agreed** that the Parish Council would commemorate the 75<sup>th</sup> anniversary of VE Day in May 2020.

Cllr Knight asked Councillors to bring ideas to the September meeting.

**65-19/20 Defibrillators**

i) To receive a report to explain liability of the Parish Council and necessity for a "custodian" of the defibrillators and to update the council and the public as to the condition of the units and the responses necessary.

A report from Cllr Wright was received on the current position with regard to the Council's defibrillators.

Cllr Wright said if the defibrillators were maintained and working, the Council could not be held liable for injury relating to their use. She said if the defibrillators were out of order, the ambulance service should be notified. She said the Council could be held liable if defibrillators for which they were responsible were not working. She said she would need to check if Mr Martin would be willing to oversee maintenance of the Hayes defibrillator.

The Chairman said he would like clarification on:

Signed \_\_\_\_\_  
Councillor M. Fleming, Chairman

- costs, to avoid disaggregation and to check whether other estimates were needed;
- liability;
- if the Council were to pick up liability, to trace this back to a legal reference.

Cllr Wright said this information had been sent out with the report and that the Council would be liable if the defibrillators were not working.

The Chairman asked for proper documentation on the qualifications of the person proposed to maintain the defibrillators.

The Chairman referred to the time and proposed that Standing Order 3(x) should be suspended for the duration of the meeting.

It was **agreed** that Standing Order 3(x) should be suspended and the meeting continued.

Cllr Wright said she could provide Mr Martin's qualifications.

The Clerk said she would check the position regarding insurance.

ii) To agree to accept the offer from Mr. Mark Martin to become the custodian of the defibrillators in the Rettendon Parish Area and to maintain the units in working condition.

This item was deferred.

iii) To agree to buy two sets of replacement pads and batteries for the HeartSine Samaritan PAD units, one situated at Battlesbridge Free Church and one at the Bell Pub. Cost is £140 per set and will last 2 years.

This item was deferred.

iv) To agree to buy a replacement lockable box for the unit at the Bell Pub at a cost of £495 if this proves to be necessary

This item was withdrawn.

#### **66-19/20 First Aid Courses – Section 137 Expenditure**

i) To agree to hire Rettendon Memorial Hall for a Saturday course of 3 hours duration at a cost of £50.

ii) To agree to hire Battlesbridge Free Church Hall for a Saturday course of 3 hours duration at a cost of £45.

iii) To agree to give a donation of £100 at each event to the Essex Community First Aid Event Volunteers, charity no. 1180674.

Signed \_\_\_\_\_  
Councillor M. Fleming, Chairman

The above were **agreed unanimously**.

It was decided that potential participants could provide a short explanation of why they wanted to participate, so that priority could be given to people who would be best placed to use their first aid skills for the benefit of the village.

**67-19/20 To consider and if approved instruct Ken Hobson Ltd to undertake the repairs to the 2 Bus Shelters as detailed in his quotation dated 18.7.19**

Cllr Ride said he had emailed background information for this Item.

He said three invoices had remained unpaid from the previous maintenance work but that the work had now been completed and inspected.

He said Mr Hobson had now quoted for work to the roofs of two bus stops – on the north side of the Turnpike, and outside the school.

He said Mr Hobson had been in contact with the manufacturers of the bus stops and had now provided this quotation.

It was **agreed** to instruct Ken Hobson Ltd to undertake the repairs to the two bus shelters as detailed in the quotation dated 18<sup>th</sup> July 2019.

**68-19/20 To agree to accept one of the quotations received for insurance against loss arising from Cyber Risk to the Council**

This Item was deferred.

**69-19/20 To agree to supply a dog waste bin for Battlesbridge at a cost of £280.00 including installation plus £100.00 annually for weekly emptying.**

It was **agreed unanimously** to supply a dog waste bin for Battlesbridge at a cost of £280.00 including installation plus £100.00 annually for weekly emptying.

**70-19/20 Highways and Footpaths – to note Essex Highways Notices and receive reports from Councillors.**

Cllr Phillips said he had reported the lack of white lines at the Rettendon Turnpike roundabout. He said Essex Highways had surveyed and reported that white lines were not necessary at this location.

Cllr Hart reported that he was installing a seat on the north bank of the River Crouch.

Cllr D Fleming said the footpath from the turnpike to the carwash on Woodham Road had been cleared and she was now chasing clearing the other side of that road. She said she had also reported fading signs on South Hanningfield Road.



Cllr Wright referred to the state of South View Road, meadow Road and Sonters Down, and asked if the Clerk could write to Essex County Councillor Ian Grundy on this matter.

**71-19/20 Street Lighting**

A leaning lamppost on Sonters Down was reported.

Cllr Knight referred to the lighting at the entrance to Hayes Country Park.

Cllr D Fleming said this could be a matter for the Local Highways Panel which she was happy to progress. She said the Parish Council could not just put lights up at the entrance partly as this would cost a lot of money. She said support from Hayes residents and pictures would help and said she would contact Cllrs Phillips and Knight to take this further.

**72-19/20 Reports from Councillors on Council activities since the last meeting**

There were no reports on Council activities since the last meeting.

**73-19/20 Date of the next Parish Council Meeting: Wednesday 25<sup>th</sup> September 2019, 7.30pm at the Rettendon Memorial Hall, Main Road, Rettendon, CM3 8DP**