

RETTENDON PARISH COUNCIL

Minutes of the meeting of the Council held on Tuesday 25th June 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 14 members of the public present.

25-19/20 Apologies and Reasons for Absence

There were no apologies for absence.

26-19/20 Declarations of Interest on Items on the Agenda

Cllr Hart said referred to Item 41-19/20 and said that he used to own Rivaside.

Cllr Hart referred to Item 36-19/20 (a) and said that he would like to declare an interest as a Governor of the school.

Cllr Hart referred to Item 36-19/20 and said that he had no involvement with maintenance of the churchyard.

27-19/20 Public Forum – strictly 5 minutes only per speaker

A resident referred to the Richard Cannon Charity and said this had functioned for many years and had made an award recently. He said he was currently in discussion with the Charity Commission regarding the status of the charity. He said the Parish Council could appoint anyone in the parish as their representative for this charity.

The Chairman said the Council had been asking about the status of this charity for three years. He said there was no Parish Council representative appointed at the moment.

A resident referred to Item 39-19/20 and said that Chelmsford City Council had provided all equipment for the last litter-pick.

A resident asked if all councillors saw emails prior to a meeting.

Signed _____
Councillor M. Fleming, Chairman

The Chairman said emails were circulated as appropriate.

The Clerk clarified the position with regard to the Council email inbox.

A resident referred to the state of the pavement and a lamppost in South View Road. She said there was a piece of grass at the top of Meadow Road that had not been cut. She said the state of Meadow Road should be considered as well.

Cllr Hart said he had been mentioning South View Road for four years and felt like he was banging his head against a brick wall.

28-19/20 To agree the minutes of the meeting held on Tuesday 30th April 2019.

The minutes of the meeting held on Tuesday 30th April 2019 were **unanimously agreed** as a true record and signed by the Chairman.

29-19/20 To agree the minutes of the meeting held on Tuesday 14th May 2019

The minutes of the meeting held on Tuesday 14th May 2019 were **agreed** as a true record and signed by the Chairman. (7 For; 2 Against)

30-19/20 To receive the minutes of the Annual Parish Meeting held on Tuesday 28th May 2019 and to note any action necessary.

The minutes of the Annual Parish Meeting held on Tuesday 28th May 2019 were received and it was noted that no action was necessary.

31-19/20 To receive the Essex County Councillor and Ward Councillors' reports.

Ward Councillor Millane referred to Planning Enforcement's awareness of work at the Toby Carvery.

32-19/20 To receive a report from the Sonters Down Working Group

The report was received from the Sonters Down Working Group and is attached as Appendix 1 to these minutes.

Cllr Phillips said the Group had held two meetings since the past Council meeting and had made good progress. He said the contractor had failed to turn up for a scheduled meeting. He said the Clerk had been asked to provide more information and once this had been received, and the Group had made contact with Chelmsford City Council, further discussion with Councillors would take place.

33-19/20 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, receive copy Bank statements and details of expenditure to date. (7 For; 2 Against)

Signed _____
Councillor M. Fleming, Chairman

Payee	Reason for Payment	Amount
Staff costs	June salary/expenses/PAYE	£973.71
Playsafety Ltd	Sonters Down annual inspection	£86.40
Stanley Tee LLP	Legal costs – 295048	£3,165.60
Skippers Ground Maintenance	Sonters Down Feb – April 2019	£1,050.00
EALC	Training	£660.00
Stanley Tee LLP	Legal costs – 295903	£3,300.00
Barclays Bank	Commission charge	£2.00
G P Allen Accountants	Internal audit	£300.00
Total		£9,537.71

34-19/20 To agree to approve the Annual Governance Statement section of the Annual Return for year ended 31 March 2019

It was **agreed** to approve the Annual Governance Statement section of the Annual Return for year ended 31 March 2019. (7 For; 2 Against)

35-19/20 To agree to approve the Accounting Statement section of the Annual Return for year ending 31 March 2019

It was **agreed** to approve the Accounting Statement section of the Annual Return for year ending 31 March 2019. (7 For; 2 Against)

36-18/19 To agree the amount of the following precepted donations:

- a) Rettendon Primary School to enable all children attending the school to be able to swim (£1500)
- b) All Saints Church, Rettendon, for maintenance of the churchyard (up to £1,000)
- c) Battlesbridge Free Church, Battlesbridge, for maintenance of the churchyard (£750)

Cllr Ride had declared an interest in this Item and took no part in the vote.

The amount of the precepted donations were **agreed** as follows (8 For; 1 Abstention):

- a) £1500
- b) £1000
- c) £750.

37-19/20 To agree to engage one or two Special Constables for Rettendon and Battlesbridge at a cost of up to £2000 per annum

Signed _____
Councillor M. Fleming, Chairman

It was **unanimously agreed** to engage one or two Special Constables for Rettendon and Battlesbridge at a cost of up to £2,000 per annum.

38-19/20 First Aid Course

- i) **To agree to pay for a venue for a First Aid course for Councillors and residents to attend at the Village Hall provided by Essex Community First Aid Events for up to twelve people under Section 137 of the Local Government Act 1972 (details of expenditure circulated prior to the meeting)**
- ii) **To agree to give a donation of up to £100 to Essex Community First Aid Events Volunteers for provision of the First Aid Course under Section 137 of the Local Government Act 1972**

It was agreed that in principle the Parish Council would be prepared to pay for a venue for a First Aid course and to grant a donation to ECFAEV, subject to confirmation of satisfactory insurance cover. It was agreed that the matter would be brought back to a future meeting for ratification.

39-19/20 To agree to purchase 10 litter pickers, high-visibility vests and plastic bags for community litter picking at a maximum cost of £150.00.

It was **unanimously agreed** to purchase litter-picking equipment for community litter-picking at a maximum cost of £150.00.

40-19/20 To agree in principle to pay for the cost of a venue and refreshments for Adult Mental Health First Aid Training

It was **unanimously agreed** in principle to pay for the cost of a venue and refreshments for Adult Mental Health First Aid Training.

41-19/20 To agree the response to the following planning applications (all applications are available to view at www.chelmsford.gov.uk)

19/00364/FUL - 49 East Hanningfield Road Rettendon Chelmsford CM3 8EQ - Proposed new stables. – **No objection, subject to consideration of any pollution risk.**

19/00929/FUL - Land South West Of Rivaside Maltings Road Battlesbridge Wickford -Erection of stable block to contain two stables and a store for the keeping of horses, along with associated hardstanding. – **No objection, subject to consideration of any pollution risk.**

19/00947/FUL - Land Northwest Of Potters Lane Junction Buckhatch Lane Rettendon Chelmsford - Construction of an Agricultural Barn - **Support**

Signed _____
Councillor M. Fleming, Chairman

19/00928/FUL - Land South West Of Riverside Maltings Road Battlesbridge Wickford - Retrospective application for the erection of a fence and access gates. – ***Support, with concern about the safety of the railway sleepers noted.***

19/00887/FUL - Oak Tree Farm Burnham Road Battlesbridge Wickford - Change of use from agricultural to office units (B1) with associated external works. – ***Object, due to the increased commercialisation of the site, and also increased footprint in a Green Belt area.***

It was **unanimously agreed** that the above would be the Council's responses to Chelmsford City Council on these planning applications.

42-19/20 To receive an update on the status of the Richard Cannon charity and agree to remove it from RPC's list of external bodies for appointment of representatives.

The Chairman said that Councillors were appointed to outside bodies at the Annual Meeting of the Council, and that each year the Richard Cannon Trust had been listed although there had been no information on its status. He said this year Cllr Hart had confirmed its existence. He said it appeared Mr Ron Fallows had further information and confirmed that either he or the Clerk would contact Mr Fallows for further information.

The Chairman said Item 44 would be taken next.

44-19/20 To discuss the possibility of cancellation of legal action through the courts pertaining to the Bell Fields dispute.

Cllr Dale-Evans asked if it would be possible to cancel legal action through the courts pertaining to the Bell Fields dispute.

The Chairman referred to the recent meeting with the Council's solicitor and said it would not be reasonable to question all that the solicitor had said.

Cllr Dale-Evans said if both parties would talk, the matter would not have to go to court. She said that even if the matter was settled by the court, the cost would not necessarily be the end of it, and there would be a lot of dissatisfied customers.

Cllr Phillips said from the legal information given, there was the possibility of termination but costs would be involved. He said this was a possibility if the other party returned control of the Fields to the Council, as the Council was liable whether in charge or not.

Cllr Hart said he had proof the purported trustees were recognized by the Charity Commission.

Cllr Ride said Mr Perry had been very clear in his explanation, and that an experienced barrister was dealing with this issue. He said Mr Perry had clearly illustrated that control of the charities rested with the Parish Council and that Mr Perry was confident court action would be in the Council's favour. He said until control was recovered, the Council was liable for inappropriate management of the charities. He said the court action could be stopped if agreement was reached beforehand. He said the Council had been trying to rectify the situation for four years. He said if the purported trustees would agree to hand the Bell Fields back, the court action could be stopped.

The Chairman referred to the time and it was proposed that Standing Order 3x should be suspended to allow the meeting to continue.

It was **unanimously agreed** to suspend Standing Order 3x for the duration of the meeting.

Cllr Hart said he had received advice from his own solicitors. He said at the current time the Charity Commission was on the side of the purported trustees.

The Chairman referred to the letter received in December 2018 from the Charity Commission, which said that the Commission took the view that the Parish Council was likely to be the sole trustee.

43-19/20 To agree to instruct Tees to complete the necessary work to enable RPC to initiate court proceedings before the 26 July 2019 deadline. (Any non-essential work to be deferred until after RPC final decision re court proceedings at the 23 July 2019 meeting.)

Cllr Wright requested a recorded vote on this Item.

Votes were cast as follows:

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

It was **agreed** to instruct Tees to complete the necessary work to enable RPC to initiate court proceedings before the 26 July 2019 deadline. (Any non-essential work to be deferred until after RPC final decision re court proceedings at the 23 July 2019 meeting.) (5 For; 3 Against; 1 Abstention)

45-19/20 To agree to set up a Working Group to design a village survey.

It was unanimously agreed to set up a Working Group to design a Village Survey.

46-19/20 If the above Item is agreed, to appoint the members of the Working Group

Members of the Working Group were appointed as follows:
Cllrs Cottee, Dale-Evans, D Fleming, Phillips and Wright.

47-19/20 Defibrillators

- i) **To agree the registration of the Parish Council's defibrillators**
- ii) **To agree to pay the ongoing maintenance costs including resetting of the device and replacement pads**
- iii) **To note any other action necessary**

Cllr Wright said she had been in touch with a resident who was willing to take on some responsibility for the defibrillators. She said it appeared more work was needed on the defibrillators in the parish before registration was undertaken. She said she would investigate further and the matter would be brought to a future meeting.

48-19/20 To discuss setting up a separate Planning Committee

Setting up a separate Planning Committee was discussed.

The Chairman said the matter could be brought to a future meeting if appropriate.

49-19/20 To agree to set up a Parish Council Facebook page

It was agreed to set up a Parish Council Facebook page. (6 For; 2 Abstentions; 1 Against)

50-19/20 Highways and Footpaths – to note Essex Highways Notices and receive reports from Councillors.

Cllr D Fleming said the footpath along Old Woodham Road was being cleared.

She said she had been advised that the feasibility study on Battlesbridge bridge would hopefully be done in the fourth quarter of the year – five years after initially being requested.

She said there were new signs on the A1245 Hawk Hill roundabout designed to prevent HGVs travelling down that road.

Cllr Cottee said she would be in touch with Chelmsford City Council regarding encouraging the growth of wild flowers along verges by delaying the grass-cutting.

She said she would be arranging a walk around the parish to look at the state of the footpaths and signposts.

Cllr Hart referred to the state of South View Road.

Cllr Cottee said she would be happy to look further into this issue.

Cllr Dale-Evans said the signs at the end of East Hanningfield Road were in a poor state with the colours gone.

51-19/20 Street Lighting

There were no reports.

52-19/20 Reports from Councillors on Council activities since the last meeting

Cllr Dale-Evans said she had reported grey water in the brook to the Environment Agency.

53-19/20 To agree to change the date of the next Parish Council Meeting from 30 July 2019 to 23 July 2019. 7.30pm at the Rettendon Memorial Hall, Main Road, Rettendon, CM3 8DP

It was **unanimously agreed** to change the date of the next Parish Council Meeting from 30 July 2019 to 23 July 2019. 7.30pm at the Rettendon Memorial Hall, Main Road, Rettendon, CM3 8DP