

RETTENDON PARISH COUNCIL

Minutes of the meeting of the Council held remotely on Tuesday 25th August

2020.

Councillors attended the meeting through digital link.

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

Three members of the public attended through the digital link provided.

Chelmsford City Councillor Paul Clark also attended the meeting.

48-20/21 To Receive Apologies and to approve Reasons for Absence

There were no apologies to receive.

49-20/21 Declarations of Interest on Items on the Agenda

Cllr Dale-Evans declared a non-pecuniary interest as a member of the Village Hall Committee.

Cllr Wright declared a non-pecuniary interest as a member of the Village Hall Committee and compiler of the Rettendon and Battlesbridge newsletter.

50-20/21 Public Forum – strictly 5 minutes only per speaker

Cllr Wright said that the Rettendon and Battlesbridge newsletter would welcome a contribution from the Parish Council and that contact details and other content would be welcome within the space available and according to guidelines. She said she would be prepared to condense the minutes once approved. She said any article could be sent to the Clerk for approval.

A resident referred to a question he had asked Cllr Hart at a previous meeting.

Cllr Hart said he had sent a reply after the question had been first asked but had received no reply.

Signed _____
Councillor M. Fleming, Chairman

Cllr Hart said he would send a response to the question to the Clerk so that the reply could be forwarded to the resident concerned.

51-20/21 To agree the minutes of the meeting held on Tuesday 28th July 2020 as a true record for signature by the Chairman at a later date

With amendment of "ECC" to "CCC" under Item 33-20/21 the minutes of the meeting held on Tuesday 28th July 2020 were agreed as a true record for signature by the Chairman at a later date.

The Chairman emphasised the importance of the approved minutes of a Council meeting as a legal document with reference to the recent outcome of the Bell Fields dispute.

The Clerk gave a brief description of the procedure relating to production of the minutes.

The Chairman said it was important to note the role of the Clerk as an impartial onlooker at meetings.

52-20/21 To receive the Essex County Councillor and Ward Councillors' reports.

No report was received from the Essex County Councillor.

Chelmsford City Council Ward Councillor Paul Clark gave the following report:

- The CCC Governance Review was a result of large developments in the north of the area concerned. He said off the top of his head there was nothing that would concern Rettendon.
- A White Paper on local government Tier 2/3 was expected shortly which might result in two or three unitary authorities in Essex. A meeting with MPs and Council leaders was expected in the next few months. The Paper could result in very significant changes to local government in Essex.
- Senior officers at CCC and ECC have been investigating the Curry Hill footbridge. He said ownership of the land on the Rettendon side was an issue, as was arranging for registration of the footpath, which had not been registered after publication of the Definitive Map in 1950. He said he would update residents on the situation as soon as possible.

Cllr Phillips asked if Cllr Clark could make enquiries about development of new properties at the side of Hayes Country Park.

Cllr Clark said it would not be appropriate to discuss this at a public meeting but that he would pursue the matter.

53-20/21 To receive reports from the following:

Signed _____
Councillor M. Fleming, Chairman

a) Village Hall Committee representative

Cllr Cottee said the pre-school would return to the Hall in September but that otherwise the Hall would remain closed until October at least when a further meeting would be held to discuss the matter.

b) Parish Survey Working Group

Cllr Cottee said that the draft survey had been circulated. She said points had been added today as needs might be different depending on location.

c) Bus Shelter Working Group

Cllr Cottee said she and Cllr Knight had cleared glass from the shelter near the turnpike. She said a list of people who would be interested in being approached to carry out work for the Council had been sent to the Clerk. She said the Bus Shelter Group would investigate ownership.

d) S-Type Security Working Group

Cllr Phillips said he would arrange an online meeting with S-Type to discuss a better reporting strategy. He said Cllr Knight had agreed to join the Working Group.

Cllr Knight said perhaps a point of contact for different areas could be considered.

Cllr Phillips said a recommendation would be brought back to Council.

e) Sonters Down Play Area Working Group

Cllr Phillips said he had spoken to Paul van Damme at Chelmsford City Council regarding options for the Sonters Down area. He said the cutting of the grass had improved and the area looked clean and tidy. He said he had asked about the possibility of the Parish Council putting in adult gym equipment. He said Paul van Damme had not been positive about this and had said it would only be possible if the Parish Council took back the management of the area.

54-20/21 Finance

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

Payee	Reason for Payment	Amount
K. Kane	Salary August 2020	£692.98
RoSPA	Teen shelter inspection	£86.40

Signed _____
Councillor M. Fleming, Chairman

Cllr Cottee	Expenses – Village Survey	£8.55
Tees	Legal costs	£9,595.20
S-Type Security	Security patrols - July	£525.00
S-Type Security	Security patrols – June	£550.00
Scribe Accounting	Renewal of software licence	£339.60
Rettendon Village Hall	Meetings – Feb/March	£142.00

Invoices were authorised for payment as listed above.

Cllr Dale-Evans abstained from voting on the payment to Tees.

Cllr Hart abstained from voting on the payment to Tees.

Cllr Wright abstained from voting on all payments due to a lack of internet access and inability to see the invoices prior to the meeting.

55-20/21 To agree the response to planning applications notified to the Parish Council as statutory consultee

20/01135/FUL - Oak Tree Farm Burnham Road Battlesbridge Wickford - Change of use from agricultural buildings to B1 (business) with associated external works.

Object - concerns raised about access to and from the site. Traffic would need to cross the white line to enter the site and it would be difficult to rejoin the traffic flow.

The application would result in increased traffic movements on and off the Burnham Road.

The change of use was noted as was the fact the advice from the Director of Planning had not been followed.

19/00816/S73 - Runwell Sports And Social Club St Lukes Way Runwell Wickford - Variation of conditions 2, 10, 15 of planning permission

Support.

19/00816/FUL - (Demolition and phased redevelopment of the existing sports and social clubhouse, external changing rooms and storage sheds. New social club, separate changing facilities and all weather floodlit playing area with associated car parking and external works). Revised drawings detailing alterations to the social club building. To allow the development to be completed in phases

Support – noting that this application would be beneficial to the residents of the parish.

Signed _____
Councillor M. Fleming, Chairman

20/01228/FUL - The Bungalow Chalk Street Rettendon Common Chelmsford - Proposed single storey rear and side extension, new roof lights to existing pitched roof. Refurbishment of front porch and internal alterations.

No objection.

20/01157/FUL - Kimblewick Tabrums Lane Wickford Essex - Extension and conversion of stable block to create habitable area ancillary to main dwelling.

No objection.

The responses to the planning applications were **agreed** as listed above.

56-20/21 Bell Fields

a) To receive an update on the High Court proceedings

The Chairman said the judgment had been handed down on August 14th 2020. He said the judge's view had been that the parish Council had sole authority to appoint trustees for a tenure of four years. He said the trustees appointed in 2017 were the current valid trustees, being Cllrs M Fleming, D Fleming, Hart and Ride, Mrs Glenys Jones and Mrs Jacky Copsey.

He said the defendants had asked for more time to consider the draft order and the judge had agreed. He said if there was no agreement on the draft order there would be a consequential hearing to consider costs or for either party to seek leave to appeal.

Cllr Knight said the hearing would be listed on the first open date after 1st October 2020 if the parties were unable to agree.

The Chairman said the first formal meeting of the trustees had been held and if the Council was in agreement the Chair of the trustees would give a statement.

Cllr Ride referred to the statement he had circulated as Chairman of the Bell Fields trustees. He said Cllr Hart had engaged with the trustees and most documents had now been handed over. He said a great deal of work now needed to be done to ascertain residents' views and move forward accordingly. He said the next trustees' meeting would be held in September.

Cllr Phillips asked whether the two trustees who were not Parish Councillors would serve out their term.

The Chairman said one would resign and the other would serve out her term.

He said urgent work was to be undertaken regarding Public Liability insurance for the Fields and an update of the charities' governing document. He said it was the intent of the trustees that the Parish Council would be kept well-briefed and a good working relationship would be maintained.

b) To agree a statement on behalf of Rettendon Parish Council on the judgment in the Bell Fields dispute

This Item was deferred.

57-20/21 "Chelmsford City Council Community Governance Review" - to consider and discuss whether the Parish Council needs to take any action

Councillors were asked to send comments to Councillors Knight and Phillips for collation into one document to be circulated for agreement at the September Council meeting.

58-20/21 To agree to compile a list of local tradespeople that the Parish Council can use as and when needed for jobs within the parish.

It was **agreed** to compile a list of local tradespeople that the Parish Council can use as and when needed for jobs within the parish.

59-20/21 Health and Well-Being

- a) To consider and agree to develop a 'Health and Wellbeing Plan' in line with Essex County Council's Strategic Plan.**
- b) To agree that a working group is formed to oversee this with all council members being invited to contribute information and ideas.**
- c) If 59-20/21(b) is agreed, to appoint members of the Health and Well-Being Working Group**
- d) To agree that the completed plan will be available on the Parish Council website and electronically, with printed copies available.**
- e) To agree funding in principle for printing and distribution subject to receipt of quotations by a future Council meeting**

This Item was withdrawn.

60-20/21 Parish Survey

- a) To agree the wording of the survey (circulated prior to the meeting)**
- b) To agree to distribute printed copies around the parish (details of cost circulated prior to the meeting)**
- c) To agree to purchase a survey package for online responses to the survey (details circulated prior to the meeting)**

This Item was deferred.

Cllr Fleming proposed that Standing Order 3(x) be suspended for the duration of the meeting. Cllr Phillips seconded the proposal and the motion was carried unanimously.

61-20/21 To discuss the possibility of producing a Parish Council newsletter

The production of a Parish Council newsletter was discussed.

It was felt that the inclusion of Parish Council news within the Rettendon & Battlesbridge newsletter should be investigated further.

The Clerk said she would email the newsletter team regarding taking this forward.

62-20/21 To agree that the Parish Council will move to online banking subject to required safeguards

It was **agreed** that the Parish Council would move to online banking subject to required safeguards.

63-20/21 To agree two voting members to attend the EALC Annual General Meeting

It was agreed that Cllr Phillips would be a voting member attending the EALC Annual General Meeting.

64-20/21 Reports from Councillors on Council activities since the last meeting

Cllr Dale-Evans said it was possible to report issues to Essex Highways through an application called Three Words.

Cllr Phillips said he was happy to report issues on behalf of Cllr Dale-Evans.

Cllr D Fleming said there had been a problem with coaches parking on the reservation near the carwash. She said it had been agreed signs would go up, warning notices would be issued to begin with before fines were applied.

She said the first stage of the process to change the speed limit on Woodham Road from the turnpike to 40mph had begun.

65-20/21 Date of the next Parish Council Meeting: It was agreed that the next Parish Council meeting would be held online on Tuesday 22nd September 2020 at 7.30pm.

66-20/21 Exclusion of the Press and Public

Having regard to the confidential nature of the business proposed to be transacted, to agree to exclude the Press and Public pursuant to Section 1 of the Public Bodies (Admission to Meetings) Act 1960.

Signed _____
Councillor M. Fleming, Chairman

Having regard to the confidential nature of the business proposed to be transacted it was **agreed unanimously** to exclude the Press and Public pursuant to Section 1 of the Public Bodies (Admission to Meetings) Act 1960.

67-20/21 To receive a report from the HR Committee.

A report was received from the Human Resources Committee.

68-20/21 To agree recommendations in the HR Committee report.

The recommendations in the HR Committee report were agreed.

Appendix 1 – Planning Applications for consideration

20/01135/FUL - Oak Tree Farm Burnham Road Battlesbridge Wickford - Change of use from agricultural buildings to B1 (business) with associated external works.

19/00816/S73 - Runwell Sports And Social Club St Lukes Way Runwell Wickford - Variation of conditions 2, 10, 15 of planning permission 19/00816/FUL - (Demolition and phased redevelopment of the existing sports and social clubhouse, external changing rooms and storage sheds. New social club, separate changing facilities and all weather floodlit playing area with associated car parking and external works). Revised drawings detailing alterations to the social club building. To allow the development to be completed in phases

20/01228/FUL - The Bungalow Chalk Street Rettendon Common Chelmsford - Proposed single storey rear and side extension, new roof lights to existing pitched roof. Refurbishment of front porch and internal alterations.

20/01157/FUL - Kimblewick Tabrums Lane Wickford Essex - Extension and conversion of stable block to create habitable area ancillary to main dwelling.

33-20/21 To Receive Apologies and to approve Reasons for Absence

There were no apologies to receive from Parish Councillors.

ECC Ward Councillor Paul Clark sent apologies for the meeting.

34-20/21 Declarations of Interest on Items on the Agenda

Cllr Hart referred to Item 41-20/21 and said he would like to declare an interest in applications 20/00818/FUL and 20/00819/FUL.

35-20/21 Public Forum – strictly 5 minutes only per speaker

A resident referred to the footpath leading up to the Rettendon Bell and referred to a car travelling up the pavement at 30-40mph before exiting the

Signed _____
Councillor M. Fleming, Chairman

footpath at the Wheatsheaf. He said bollards had been removed or cut off. He asked if there was anything the Parish Council could do.

He said the bins on the Sonters Down field had not been emptied.

The Chairman said the first point would be investigated by the Council.

Cllr Knight said he would empty the bins on Sonters Down.

A resident said Cllr Hart had said during the recent hearing at the High Court that he had evidence that the Parish Council had stopped children playing football on the Bell Fields. He asked if it was possible to see the evidence for this assertion.

The Chairman asked the resident to submit the question in writing to the Clerk who would pass it on to Cllr Hart.

36-20/21 To agree the minutes of the meeting held on Tuesday 30th June 2020 as a true record for signature by the Chairman at a later date

Cllr Cottee referred to Item 17-20/21 and said she would like to clarify that she had only voted against the payments to Tees.

With the insertion of "23-20/21" after the word "Item" in the first line of Item 12-20/21 the minutes of the meeting held on Tuesday 30th June 2020 were **agreed** as a true record for signature by the Chairman at a later date.

37-20/21 To agree the minutes of the meeting held on Monday 6th July 2020 as a true record for signature by the Chairman at a later date

The minutes of the meeting held on Monday 6th July 2020 were **agreed** as a true record for signature by the Chairman at a later date.

38-20/21 To receive the Essex County Councillor and Ward Councillors' reports.

The following report had been received from Ward Cllr Paul Clark and was read out to the meeting.

I can report as Ward Councillor, the City Council has continued to provide some of its services throughout the lockdown such as refuse collection - other services had to be suspended through Government legislation. The waste collection service has successfully handled the challenge which saw the quantity of recycling and waste increase substantially, as many residents remained at home.

The food hub set by the Council, and has provided much needed assistance to "shielded and/or self-isolated" residents, will gradually be scaled down.

Some of the facilities such as Leisure are beginning to re-open, with the Riverside Centre from Monday 27th July, albeit on a restricted and pre-booked basis for the time being.

Signed _____
Councillor M. Fleming, Chairman

Following a short hiatus at the beginning of April, I have continued to be busy on a daily basis, assisting residents in the Ward with various enquiries for help or advice in Council related matters.

The District Commander for Chelmsford and Maldon at Essex Police has advised the Essex Roads Policing Unit are continuing operations in our area, following many complaints by residents regarding speeding traffic. Please drive carefully.

39-20/21 To receive a report from the Parish Council representative on the Village Hall Management Committee

Cllr Cottee said no meetings had been held and there were no updates on the hall re-opening. She said the pre-school had now broken up for the summer and the herb garden was being installed.

Cllr Hart asked about the potential for resuming physical meetings.

The Chairman said that the ability to hold digital meetings was currently in place until May 2021. He said the safety of councillors and residents had to be considered and there could be no constraints on attendance by members of the public. He said further information would also be needed from the Village Hall committee. He said he was aware some Parish Councils had fewer councillors and members of the public attending meetings, and that Rettendon was exceptional in the number of residents who attended.

40-20/21 Finance

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

Cllr Cottee queried the necessity for two payments per month for Zoom.

The Chairman said the two payments were made to replicate as closely as possible the physical meetings and that in this way the two groups of councillors and residents could be separated. He said this still cost less than hiring the Village Hall. He said he had been keen to ensure the digital meetings had no constraints to access by residents. He said he had considered the webinar option as the best way to chair meetings effectively and to counter any disruptive behaviour. He said he had also considered that using the webinar option also meant that residents could join without passing over contact details, in the same way that they could simply walk into a physical meeting.

It was **agreed unanimously** to authorise invoices for payment as detailed below.

Payee	Reason for Payment	Amount
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Signed _____
Councillor M. Fleming, Chairman

Staff costs	June	£692.98
Zoom	Meeting arrangements	£149.41
Allen Leslie Associates	Internal audit	£300.00
Total		£1142.39

41-20/21 To agree the response to planning applications notified to the Parish Council as statutory consultee

20/00818/FUL - Land South West Of Rivaside Maltings Road Battlesbridge Wickford - Part retrospective application for the construction of a fence and access gates. Construction of formation of vehicle access.

20/00819/FUL - Land South West Of Rivaside Maltings Road Battlesbridge Wickford - Erection of stable building

20/00995/FUL - The Ridings Chalk Street Rettendon Chelmsford - Proposed demolition of existing porch and construction of new open porch. Conversion of existing garage with the installation of new windows.

It was **agreed** to support all three applications.

42-20/21 To agree that Rettendon Parish Council having met the criteria of having two-thirds elected members and a qualified Clerk adopts the General Power of Competence

It was **agreed** that having met the criteria of having two-thirds elected members and a qualified Clerk that Rettendon Parish Council adopt the General Power of Competence.

43-20/21 To consider the extent of coverage by S-Type Security Ltd and to confirm that the Parish Council is limited to responsibility for patrols on public property.

Cllr Dale-Evans said that there had been only one meeting regarding the security patrols and she felt it was time for another. She said she was concerned about misuse by the public of the arrangement.

She asked if the concerns about the contract raised by Cllr Phillips had ever been addressed.

Cllr Phillips said the issues arising from the contract wording had been addressed. He said the reporting side needed to be considered but that he was happy with what they were doing.

Cllr M Fleming said the Council was not paying them to respond to members of the public but that if S-Type received intelligence they would investigate.

Cllr Dale-Evans said the Council had never addressed a contact point and reporting back.

Cllr Phillips said the Working Group should meet and report back to the next meeting.

Cllr Knight said the option to do a drive-round with S-Type was available to all councillors. He said they seemed to be in touch with what was going on in the parish through Facebook and that possibly Facebook Messenger was being used to contact them.

Cllr Knight asked for the security patrols to be a regular agenda item.

Cllr Wright asked if they was allowed to patrol private property.

The Clerk said she did not believe this was a correct use of public money.

44-20/21 To receive an update on the High Court proceedings in the Bell Fields dispute.

The Chairman said the hearing had been held the previous week.

He referred to the request by the defendants for an adjournment and said the hearing on that issue had been held following the last extra ordinary meeting of the Council. He said the outcome of that hearing was that room had been found for a physical presence but that space was limited so councillors had attended the main hearing by Skype.

He said the hearing on the main issue had been held and had finished at 4.20pm on day 1. He said there would be no further Court activity and that the Council was now awaiting the judgment to be provided which could take up to a month.

He said the judgment would go in confidence to the claimants and the defendants for correction of typographical errors and would then be published.

He said the Council had been put on the spot at the end of the first day regarding one possible outcome and whether the Council would challenge this outcome resulting in further cost and delay.

He said there had been no time for a Council meeting and that he and the Vice-Chairman had spoken to all councillors, most of whom had been supportive of not challenging that scenario.

He said once judgment was available if necessary this decision could be added to the agenda and ratified.

Cllr Knight said the request had come from the judge and not from either Tees or the Council's barrister. He said Tees had passed on the Council's instruction and the Council had used their best efforts to go back with a decision.

The Chairman said councillors had responded by email either to all or to the Clerk alone. He said only the Clerk was aware of the full response. He said ideally a meeting would have taken place but this had not been possible.

Cllr Cottee said she was happy with the way the matter had been handled and that the Council had done the only thing they could do in the circumstances.

45-18/19 To agree the amount of the following precepted donations:

- a) All Saints Church, Rettendon, for maintenance of the churchyard (up to £1,000)**
- b) Battlesbridge Free Church, Battlesbridge, for maintenance of the churchyard (£750)**

Cllr Ride queried the absence of the precepted amount to be granted to the primary school to support swimming lessons.

The Clerk said an issue had arisen with the payment of this amount and that this needed to be investigated further before the payment could be brought to a meeting for agreement.

The Clerk said she would investigate the matter fully and it would be added to the agenda for September's Council meeting.

It was **agreed unanimously** to make the donations as follows:

- a) All Saints Church, Rettendon - £1,000
- b) Battlesbridge Free Church - £750.

46-20/21 Reports from Councillors on Council activities since the last meeting

Cllr Cottee referred to the broken pane at the turnpike bus shelter. She said it would be useful for councillors to consider the ongoing maintenance of the shelters.

Cllr M Fleming referred to the proposed Village Survey and asked whether it would be possible to bring this forward with a view to identifying support that could be offered to residents.

Signed _____
Councillor M. Fleming, Chairman

Cllr Cottee said one meeting had been held but further meetings were not possible as the hall remained closed. She said support during the past few months had been offered by the Government and there were issues with GDPR and how to identify vulnerable residents. She said she and Cllr Wright were looking at the Health and Well-Being Agenda supported by EALC and were looking at ways to push this out.

Cllr Phillips suggested meetings for the HR Committee and the S-Type and Survey Working Groups could be held via Zoom with any recommendations to come back to full Council.

47-20/21 Date of the next Parish Council Meeting

It was **agreed** that the next Parish Council Meeting would be held online on Tuesday 25th August 2020, at 7.30pm.

Signed _____
Councillor M. Fleming, Chairman