

GREAT CANFIELD PARISH COUNCIL
MINUTES OF THE ANNUAL MEETING OF THE PARISH COUNCIL
 held in the Village Hall Monday 9th May 2016

Present: Cllrs Ginny Barlow, Chris Easter, Stuart Hepburn, Jenny Jewell, Robert Mackley (Chairman), Declan Tiernan and the Clerk Allison Ward

4 residents

1. APOLOGIES FOR ABSENCE were received from Cllr Michael Knight and accepted by the Parish Council.

2. ELECTION OF CHAIRMAN and DECLARATION OF ACCEPTANCE OF OFFICE as CHAIRMAN

Cllr Jewell proposed that Cllr Mackley be elected Chairman; this was accepted by Cllr Mackley before being seconded by Cllr Barlow, with all in agreement. The Chairman signed the Declaration of Acceptance of Office as Chairman; this will be held on file by the Clerk.

3. ELECTION OF VICE CHAIRMAN

Cllr Easter proposed that Cllr Hepburn be elected Vice Chairman; this was accepted by Cllr Hepburn before being seconded by Cllr Jewell, with all in agreement.

4. DECLARATION OF INTERESTS FOR THIS MEETING – None

5. PUBLIC FORUM

A resident thanked the Parish Council for all they do and added that their efforts are appreciated.

6. MINUTES OF THE ORDINARY PARISH COUNCIL MEETING 10th April 2016 were proposed as a true record by Cllr Hepburn, seconded by Cllr Barlow with all in agreement; the minutes were signed by the Chairman.

7. DATES OF MEETINGS 2016/17

The Parish Council agreed that meetings would continue to be held on the second Monday of the month at 8pm in the Village Hall. Clerk to arrange for the website to be updated and book the village hall.

8. ELECTION OF REPRESENTATIVES

Footpaths/Greens	– Cllr Easter
Planning	– Cllrs Barlow and Jewell
Tree Warden	– Cllr Knight
Highways/Road Safety	– Cllrs Hepburn and Tiernan
Crime Prevention	– Cllr Mackley
Minerals & Crumps Farm Committee	– Co-opt Tricia Clifton, John Creecy and Henry Green,

The Minerals and Crumps Committee asked if there was a Cllr available to join their group, to provide additional cover and to pick up the history to date in case one of the current committee is unavailable in the future. Cllr Mackley suggested this be added to a future agenda for consideration when there is a full Parish Council.

9. PROGRESS UPDATE – Nothing to report.

10. CORRESPONDENCE TO NOTE – Nothing to report.

Signed
 Robert Mackley (Chairman Parish Council)

11. PLANNING

11.1. Applications – None

11.2. Decisions

Application No	UTT/15/3726/HHF
Development	Proposed single storey side and front extension
Location	Park View, Canfield Road
Decision	Conditional Approval

Application No	UTT/16/0629/FUL
Development	Static residential unit for stockman
Location	Lake View Farm, Fitzjohns Lane
Decision	Conditional Approval

- 11.3. Uttlesford Enforcement confirmed an appeal has not been made against the Enforcement notice for Haydens End. The notice took effect on 27th April and the owners have 3 months to remove the stable block which has not been built in accordance with the planning application and to clear the site of rubble. An application UTT/16/1189/HHF, for ‘retrospective application for the erection of an ancillary workshop and store’ has been notified to the Parish Council.

Cllr Barlow proposed that the Parish Council asks the District Cllrs to call this application to Planning Committee for consideration should the Planning Officers be mindful to approve on the basis of the planning history of the site and the apparent over development of the site within a listed building curtilage. This was seconded by Cllr Easter with all in agreement; Clerk to contact District Cllrs.

Cllr Barlow proposed that the Parish Council objects to this application for the reasons summarised below, this was seconded by Cllr Mackley with all in agreement.

This site has been subject to a number of planning applications in recent years including the original application in 2014 for these outbuildings. From the outset the Parish Council raised concerns that the original application gave the appearance that a dwelling was being proposed rather than stabling.

Following the approval for the stabling, the Parish Council believes separate utilities were added to the buildings which appear unconnected to the main house. From the outset the buildings were never built in accordance with the original plans and are now subject of an enforcement notice which had taken effect, prior to this application being issued for comment.

The buildings in this application sit within the curtilage of and adjacent to the listed building Hellmans Cottage which is one of the oldest listed buildings in the village. The Parish Council is of the opinion the new buildings as constructed are not in keeping and have a significant impact on the street scene and this historic centre. The buildings are larger in scale and height when compared to the original listed dwelling and are dominant in the setting and as such contrary to policy ENV2 and S7.

The original application for the stabling including the change of use of the land from agricultural to paddocks/grazing. Policy ENV6 states this will be permitted if, ‘particularly its scale, does not result in a material change in the character and appearance of the surrounding countryside.’ As stabling and paddock is no longer required the Parish Council is concerned that policy ENV6 is no longer met.

There is a concern that the site plans submitted with this application do not show the full extent on the outbuildings and there are further significant outbuildings on site.

Signed
Robert Mackley (Chairman Parish Council)

1 resident leaves

- 11.4. On Sunday 17th April a small number of travellers broke the padlock on a field in Cherry Hill Lane and took up residence, further travellers arrived the following day and a total of 13 caravans were on the site. The residents immediately contacted the police, tenant farmer and Essex Traveller Unit to enable the necessary processes to take effect. Unfortunately, this was delayed whilst Essex County Council confirmed they were the owners of the land, once this was established official proceedings began under section 77/78 (Criminal Justice & Public Order Act 1994), the travellers left the site on 26th April. Action has been taken by the tenant farmer and residents to further protect the land.

12. ANNUAL ACCOUNTS

Cllr Barlow and the Clerk met with the Landmark Chambers on 11th April and their opinion confirmed the Easement contains a restrictive covenant limiting development to 7 houses and associated outbuildings, a response was sent to the Agent confirming the Parish Councils position and its decision not to renegotiate the easement to allow access for 15 homes in return for a further £40,000 payment.

Following Landmark Chambers advise the Parish Council has written to,

- a. Pellys Solicitors requesting additional action and putting them on notice of negligence.
- b. Ms L Jopson requesting additional action and a statement that failure to do this will be in breach of the Easement.
- c. De Vere Homes Ltd, reminding them of the restrictive covenant restricting the building of houses to a maximum of 7.

The Clerk was asked to contact Zurich to confirm whether the Parish Council insurance policy covers legal fees for contract disputes, or if not whether there is a particular company of Solicitors we are required to use. If not, it was suggested we look to engage Solicitors on a 'no win no fee' basis.

3 residents leave.

13. REVIEW OF PARISH COUNCIL INSURANCE

Cllr Hepburn proposed that the Parish Council continues its long term agreement with Zurich for a 2016/17 premium of £280.65, this was seconded by Cllr Tiernan with all in agreement. It was further confirmed there are no changes to the fixed asset register for 2015/16.

14. APPROVAL OF ANNUAL RETURN AND ACCOUNTS

14.1 The Parish Council considered the internal controls of the Parish Council including bank signatories (it was noted updating of these is still in process), quarterly reporting of finances including updating budgets and bank reconciliations and the annual review of insurance. The annual internal audit is completed by Mr S Mainwaring. Cllr Hepburn proposed the Annual Governance Statement for Great Canfield Parish Council is approved, this was seconded by Cllr Jewell with all in agreement.

14.2 The Parish Council considered the annual statements for the year ending 31 March 2016, Cllr Mackley proposed that the annual statements represent the true financial position of Great Canfield Parish Council and its income and expenditure has been properly receipted. This was seconded by Cllr Tiernan with all in agreement.

15. REPRESENTATIVES REPORTS

- 15.1. Footpaths, Byways, Bridleways and Greens - Nothing to report
- 15.2. Highways/Road Safety

Signed
Robert Mackley (Chairman Parish Council)

15.2.1. The Clerk had chased outstanding Highway logs which remain open but with no dates for works to be completed. The Clerk was asked to contact County Cllr Barker for assistance and to understand when the roads in Great Canfield are due for routine resurfacing.

15.2.2. Cllr Hepburn to complete a highways survey of routine and minor maintenance works required including signage which can be submitted to the relevant Highways team.

15.2.3. Cllr Mackley confirmed he had received a response from Highways England confirming the traffic delays on the A120/M11 interchange had been caused by rodents eating through some of the internal wiring. They are currently waiting for funding to be approved to address these issues.

15.3. Crime Prevention/Neighbourhood Watch – Nothing to report

15.4. Tree Warden – Nothing to report

16. FINANCE

16.1 Cheques for Approval

<i>PAYMENT TO</i>	<i>VALUE</i>
Allison Ward - Parish Clerk April 2016	£179.40
Aaron Walder Legal Expert – Canfield Nursery Easement	£1,500.00
Zurich Municipal – Annual Insurance	£290.37

16.2 Precept for the first half of 2016/17, £2,496.50 has been received and the VAT return for 2015/16 has been submitted.

17. ITEMS FOR THE NEXT AGENDA – Nothing specific.

18. DATE OF NEXT MEETING Monday 13th June 2016 at 8pm in the village hall.

TIME AND CLOSE OF MEETING 9.45pm

Allison Ward
Parish Clerk 01245 231798

Signed
Robert Mackley (Chairman Parish Council)