MINUTES OF THE MEETING OF THE PARISH COUNCIL HELD ON MONDAY 17 DECEMBER 2018 AT 7.30 PM AT THE VILLAGE HALL

Present: Chairman: Cllr. F A Delderfield.
Cllrs. C L Atkinson, J C Gregan, Mrs A V Heaviside and J V Keyes.

Apologies for absence were received from Cllrs. Mrs C Adams, R L Bass, A J Gable and B S Marshall.

146.18 MINUTES OF THE PREVIOUS MEETING
The minutes of the Meeting of the Council held on 12 November 2018 were confirmed and signed subject to the second line of minute 141.18 being amended from *has now been repaired* to *is under repair.*

147.18 DISCLOSURES OF INTEREST
The Chairman reminded Members that, in common with other local authorities, this item is placed high on the agenda to give Members the earliest opportunity to declare known interests in items set out for later discussion; notwithstanding that they should also declare interests as soon as they become aware should the need arise throughout the meeting. The following disclosures of interest were made on planning applications to be considered under agenda item 8:

Cllr. J C Gregan declared interests in: **LBC/MAL/18/01315** Section 73A application for replacement front door. Bean Cottage 14 Totham Hill Green;
RES/MAL/18/01386 Reserved matters application for the approval of appearance, landscaping and scale for approved planning application OUT/MAL/16/01490 (Erect detached bungalow with integral garage, and lay out parking and amenity areas). Land Adjacent 18 Totham Hill Green; and
FUL/MAL/18/01403 Construction of detached garages, gymnasium and garden room. Plainswood House 25 Plains Road.

Cllr. Mrs A V Heaviside declared an interest in: **LBC/MAL/18/01315** Section 73A application for replacement front door. Bean Cottage 14 Totham Hill Green

Cllr. J V Keyes declared interests in: **RES/MAL/18/01386** Reserved matters application for the approval of appearance, landscaping and scale for approved planning application OUT/MAL/16/01490 (Erect detached bungalow with integral garage, and lay out parking and amenity areas). Land Adjacent 18 Totham Hill Green; and
LDE/18/01443 Claim for a lawful development certificate for the existing use as property as a Dwellinghouse (C3). Brick Kiln Lodge 32 Rookery Lane

Members were also reminded to review and update if necessary their interests recorded in the Register of Interests and which they are required to declare under the Localism Act 2011 and the Council's Code of Conduct.

148.18 ADJOURNMENT FOR THE PUBLIC TO SPEAK
Five Members of the public were present. There were no questions.

149.18 CHAIRMAN'S ANNOUNCEMENTS, REPORTS OF OTHER BODIES AND GENERAL CORRESPONDENCE.
Information was received about the high level scrutiny of the design assessment for the nuclear reactor for the proposed nuclear power station at Bradwell on Sea.

150.18 MATTERS ARISING FROM THE MINUTES
Rough Sleepers: No reports were received for the Annual Rough Sleepers Estimate on 22 November so the Clerk had submitted a nil return.

151.18 PLANNING POLICY AND STRATEGY:
Neighbourhood Plan Steering Group: The minutes of the Steering Group meeting of 27 November were received and noted as well as an update with timeline. Both are appended to these minutes.

152.18 PLANNING APPLICATIONS
Planning Appeal: Notice of appeal was received in respect of MAL/17/01272, extension to office building to form an attached live/work unit at the Old Dairy, Broad Street Green Road.
North Heybridge Garden Suburb Development: A Broad Street Green Road resident had sent an e-mail message to the Vice-Chairman advising that they felt completely let down by the Parish Council for supporting the development on principle.
Planning Decisions: The Clerk reported on the latest planning decisions.
Latest Applications: Comments on planning applications received up to week ending 14 December 2018 were as follows:

HOUSE/MAL/18/01229 Single storey rear extension. 34 Maldon Road – The Council has no objections.

LBC/MAL/18/01315 Section 73A application for replacement front door. Bean Cottage 14 Totham Hill Green - The Council has no objections.

RES/MAL/18/01386 Reserved matters application for the approval of appearance, landscaping and scale for approved planning application OUT/MAL/16/01490 (Erect detached bungalow with integral garage, and lay out parking and amenity areas). Land Adjacent 18 Totham Hill Green –

Although the site lies outside of the development limits the site has outline planning permission for one dwelling. The site is central to a pleasing group of dwellings being flanked on either side by listed buildings and opposite to two non-listed but significant old dwellings built with traditional materials. Permission has been given for a new additional dwelling opposite which the application states will be built of *materials chosen in response to other properties in the locality referencing the more traditional ones,* thus complementing its neighbours.

The Committee report for the outline application for this application on land adjacent to 18 Totham Hill Green had recommended refusal but a member requested a call-in to the Committee and reasoned *that Planning permission had been granted for a house on a site on the opposite side of the road* and outline permission was granted for this site. It might then be expected that the design and materials used would also be traditional and chosen in response to the other properties in which it will sit. But they do not. The materials and finish are described as contemporary and conflict with the neighbouring properties to an extent that would be incongruous.

Two further objections are the scale of the building in relation those in the surrounding area and would have a detrimental visual impact on the street scene; and the matter of the integral garage forming part of the title of the outline application but now apparently omitted from this detailed application

The proposed development would therefore be contrary to the Maldon District Local Development Plan policies S1, S8, D1 and H4 which seek to prevent development outside defined development boundaries which harm the character and appearance of the area.

FUL/MAL/18/01382 2 No. proposed new field shelters. Howells Farm Maypole Road Great Totham – The Council has no objection but believes that field shelters should not have gates as shown on the drawing.

FUL/MAL/18/01403 Construction of detached garages, gymnasium and garden room. Plainswood House 25 Plains Road – The Council supports the application which will provide garaging and recreational facilities for the occupiers of the main house; provided it has conditions attached to ensure that it is used as described and only ancillary to the main dwelling and not as a separate dwelling or for any other purpose.

COUPA/MAL/18/01380 Variation of condition 23 of application COUPA/MAL/17/00981 approved on appeal APP/X1545/W/18/3198348 (Notification for prior approval for a proposed change of use of agricultural building to a dwelling-house (Class C3), and for associated operational development). Reason: To install tri-fold doors and roof lights, which were not show on the original plans. Barn At Great Mountains Farm Colchester Road – No comment.

HOUSE/MAL/18/01435 Part conversion and extension of existing garage to provide ancillary accommodation. 9 Heriot Way – The proposed extension, due to its location, will be barely seen from and will not overlook the neighbouring properties. The Council recommends approval.

LDE/18/01443 Claim for a lawful development certificate for the existing use as property as a Dwelling house (C3). Brick Kiln Lodge 32 Rookery Lane – The Council can confirm that the existing use has for a number of years been as a dwelling house.

153.18 FINANCE:
Confirmation of Payments: Payments were confirmed for:

Amount (£)	Payee	Service
390.00	R & G Mann	Hedge cutting
89.00	SLCC	Annual subscription
444.00	C R Potter	Salary/allowance

Financial Assistance to the Church: The Essex Association of Local Councils is petitioning the National Association to take action in clarifying the position whereby its legal advice suggests that funding for churches in not legal under the Local Government Act 1894. The Essex Association disputes this position and is asking its Members to advise them of any funding for churches which they may have provided. This Council's financial involvement is mainly to provide burial facilities. The Clerk will respond accordingly. (The Council's response is attached to these minutes).
Finance update and draft estimates:
The financial report and forecast outturn at the end of November was noted and a copy is attached to these minutes. Notice of the tax base was received which is expected to be £1266.2 for a Band D Household; an increase of 11.6p on the current year. The charge for

the current and previous years was £15.36 for a Band D Household. The first draft estimate for 2019/20 was initially discussed and some headings amended. The Clerks salary will be reviewed and the Community Protection Team trial examined and the estimated will be finalised at the next meeting and the precept agreed.

154.18 AMENITIES

Report of the Chairman of the Amenities Committee: Cllr C L Atkinson reported that the seats in Kelvedon Road and near the Beacon have been repaired by Cllr Marshall and himself. Notices warning of penalties for allowing dog fouling at Bull Green are in place and the Community Protection Team are monitoring the site. A persistent early morning offender is being sought. An unknown person is trimming and clearing up the Chase area for which the Council is grateful. The report was received and adopted.

Best Kept Village Competition: Advance notice of the competition was received.

155.18 HIGHWAYS AND TRANSPORTATION

Localism Rangers Work: An overturned sign, thought to be a speed limit sign, at Totham North would be reported; and displaced kerbs at the Staplers Heath/Walden House Road corner of Bull Green.

156.18 COMMUNITY POLICING, SAFETY AND REGULATION

Speedwatch Report: Cllr C L Atkinson gave a report on the latest Speedwatch activity including some excessive speeding reported to the police. Cllr Atkinson is looking at preparing some figures on the number of vehicles speeding as a proportion of total vehicles passing to compare with the results of the speed survey carried out by the County Council, when they become available.

Community Protection Team Report: The latest Community Protection Officers report was received and noted.

157.18 WW1 CENTENARY COMMEMORATIONS

Solitary Soldier: Long term storage of the Solitary Soldier was considered and it was agreed that the church is the most appropriate location which Cllr Mrs A V Heaviside has arranged. The Council was grateful for a storage offer also received from the Scouts.

158.18 HOMELESSNESS & HOUSING CONSULTATION

It was decided that the Council has no information or response to this consultation by the Maldon District Council.

159.18 JUBILEE RECREATION GROUND

A letter was received from Gepp Solicitor on behalf of the owner of 3 School Road alleging a nuisance at the Jubilee Recreation Ground. This follows an earlier Freedom of Information request and complaint to which the Council responded. Although the Council's response set out the facts this latest letter has several inaccuracies about the playground equipment and its location. It advocates a relocation of the swing and zip-wire as the solution to a problem caused by the behaviour of some users, for which the complainant is willing to contribute to the cost.

The Council believes the problem of offensive language and using banned substances is a matter which should be addressed by the police. There is no mention of it being reported by the complainant. The question litter and noise are matters which the Community Protection Officers may be able to assist with. The Council will send copies of the correspondence to both bodies and advise the resident's legal representative accordingly.

160.18 ANY OTHER URGENT BUSINESS AND FUTURE AGENDA ITEMS
There were no items of urgent business. The January Parish Council Meeting will include the following consultations:

Police, Fire & Crime Commissioner: Fire & Rescue Plan 2019 – 2024:
www.essex.pfcc.police.uk/fire-rescue-plan-2019-2024-public-survey

Maldon District Council: Green Infrastructure Strategy: e-mail to policy@maldon.gov.uk

Essex County Council: Essex Future Library Services Strategy 2019 – 2024:
www.essex.gov.uk/libraries-consultation

161.18 CLERKS' SALARY REVIEW
The Clerk let the meeting. The Clerk's salary and allowance is set for three years to the end of this current year. It was agreed that the salary and allowance should be increased by £1,500 per year to £6,830. The Clerk will calculate the appropriate apportionment of salary and allowance.

The Chairman invited Members to the Bull following the meeting.

The meeting closed at 9.00 pm

GREAT TOTHAM NEIGHBOURHOOD PLAN
STEERING GROUP MEETING – 27 November 2018.

1. Present: Graham Thorne (Chair), Paul Mutton (Secretary), Roy McPherson, Bob Tarpey, Paul Firman, Ann Powell, Mike Powell, Andy Dyer, Martin Flook, Vicky Heaviside, Chris Adams.

   Apologies were received from Kevin Bennett and Andy Boorman.
   Graham Thorne, chairing, thanked all members for their sterling efforts delivering survey forms and those who had assisted with inputting paper copies. Paul Mutton had been the backbone of this major part of the project and was to be congratulated on its success. Meeting agreed this unanimously.
2. There were no actions arising from the meeting held on 30 October 2018 and the minutes were accepted.

3. Update on Parish Matters: There was nothing major to report this time.

4. Finance update: Paul reported that the printing invoice had been forwarded to Clive Potter. Paul will speak to Clive to see if he had received an invoice from Navigus for their attendance at a previous meeting. (**Action: Paul to speak to Clive)**

5. Communications: The website was working well and Paul had been publishing regular updates on the progress of the survey. Paul elected to post a final update on the survey. (**Action completed:** Final update was posted on 28 November).

6. Survey completion: Paul reported that we had received 533 responses 44% of those issued; 155 of these (almost 29%) were completed online. In total we had received feedback and opinion from 1057 individuals over the age of 18. According to the 2011 census this represents just over 36% of the electoral roll. All agreed this was an impressive response and would be strong evidence of public engagement. The initial trends reported at the previous meeting were being reinforced; speeding was a major concern. The Beacon, churches, woodland and fishing lakes were featuring prominently in defining features.

7. Processing of survey data: Paul will sift the data over the coming weeks and should have it in a presentable form before the January meeting. Answers to the Village Hall and Sewer connection questions will be removed from the survey data and sent separately to the Parish Council and Village Hall committee.

   In the meantime, members of the Steering Group can look at the data and graphs on Survey Monkey. Paul will circulate the login details separately as these minutes will be posted on the group's website. Paul will post the finalised data on the group's Google Drive. All members of the group had been previously invited to share the document store and Paul will endeavour to issue new invites.

8. There was no other business.

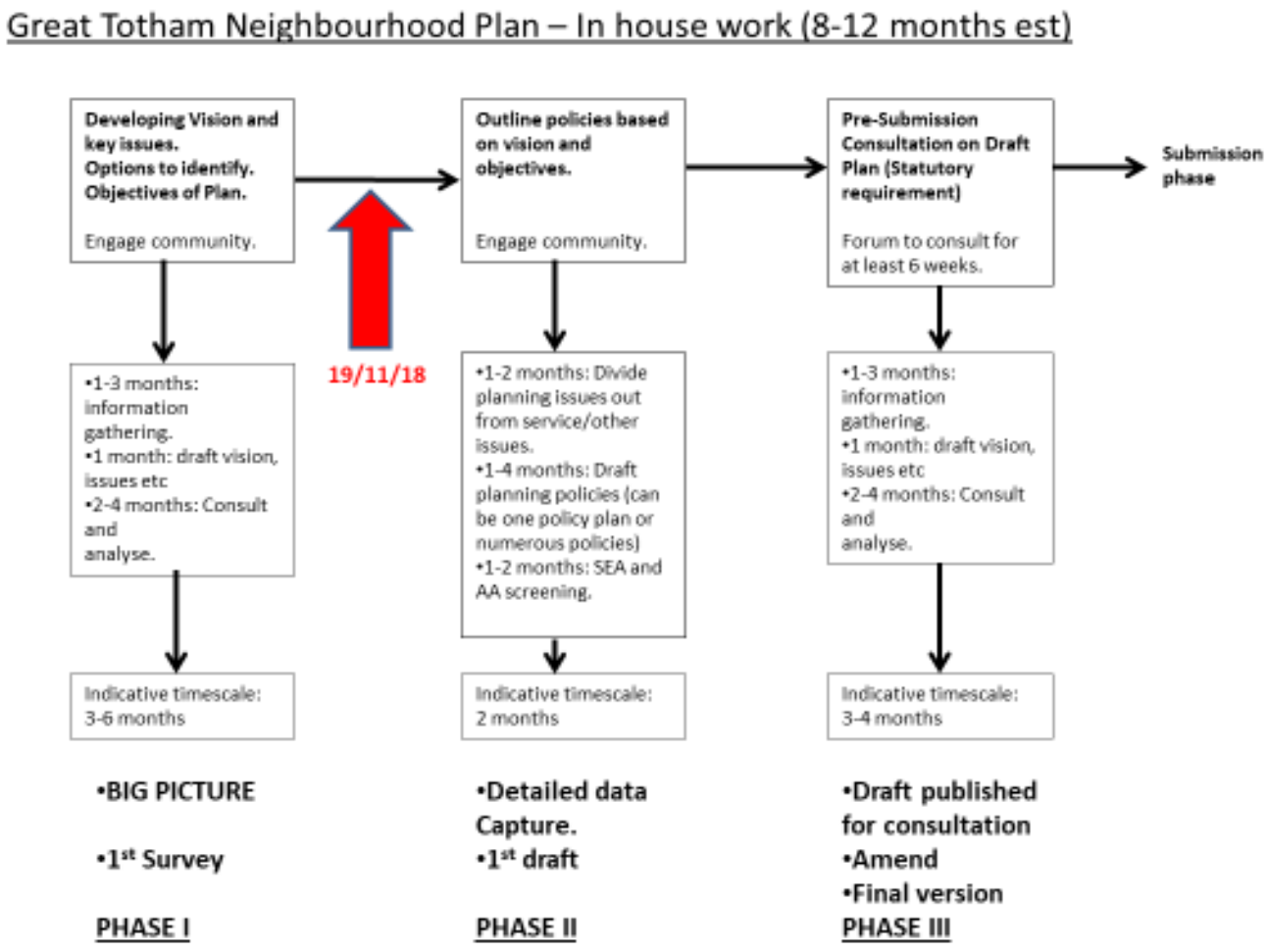
9. The next meeting will be held on 8 January at 7.30pm at the Honywood School. Chris Bowden of Navigus has confirmed attendance. Members felt strongly that they would like a discussion of the survey results summary before meeting Chris Bowden.

GREAT TOTHAM NEIGHBOURHOOD PLAN STEERING GROUP

Briefing for Parish Council meeting – 17 December 2018

1. **Village survey:** The survey closed on 19 November. The group received 533 completed questionnaires. This represents a return of 45% from the 1198 distributed. 155 of these, almost 30% were completed online. Responses were received from 1057 individuals over the age of 18.

2. **Progress report:** Please see below. The plan has now reached the end of phase 1.



3. **Next steps:** Detailed collation of data is taking place for presentation and discussion with our consultant at the meeting on 8 January 2019.

GREAT TOTHAM PARISH COUNCIL

C R Potter, Clerk to the Council
19 Mill Road, Great Totham, Maldon, Essex, CM9 8DH

Telephone: Maldon (01621) 891474 **Email: greattothamparishcouncil@btinternet.com**
Website www.essexinfo.net/great-totham-parish-council

Date: 19 December 2018 **Your Ref:**

Dear Joy,

Essex Motion – Financial Assistance to the Church

I refer to your e-mail of 19 November. It took some time to reply as I needed to look up some of our old files and I also wanted to share it with the Council especially as we will be buying a new burial ground in the not too distant future.

I have looked back over the last five years of our accounting records to identify payments to the Parish Church and can identify several occasions; as well as a number of years ago we provided an extension to the burial ground. The details are:

1. St. Peter's Church has a *Friends* organisation of which we are corporate members paying £50 annually. The Friends exist to help the Church in providing practical financial assistance for repairs and improvements to specific structures. One of its aims is to attract members who are not church attenders but who value the buildings and historical context in their own rights. The Parish Council also recognises the Church in this way and tries to demonstrate a civic leadership role by being involved.

2. The Parish Council is using the Honywood School (a church hall) for its Neighbourhood Plan Steering Group meetings for which we pay the hiring charge. It was £40 last year and will be about £200 this year. We are simply hiring the Hall which the Church owns.

3. The Council from time to time identifies people from the Parish who run the various organisations or have carried out voluntary work and so on for a number of years and awards them a Yeoman of the Parish certificate. They are usually made to coincide with a national event and in 2016 at the time of HM the Queen's 90th Birthday we paid the Church £100 towards hosting the presentation event at its Flower Festival. In this case the church is providing a service to us.

4. Between 1988 and 1991 we purchased land adjacent to the Parish Church and prepared it for burials at a total cost of £2290. Ownership was conveyed to the Church. We did this under the Local Government Act 1972 Section 214 (6) so as to "….contribute towards any expenses…". We are soon to purchase further land as the present burial ground moves towards reaching its full capacity.

I have looked at the NALC briefing note L01-18 and under *NALC's views* would question the paragraph about S.214(6) of the LGA 1972 which concludes the 1894 Act prevails in the case of the church and burials. I do not agree with this view.

The NALC has addressed the subject before. S.214(6) of the Local Government Act 1972 comes from the Parish Councils Act 1957, Part 2, section 10. At the second reading of the Bill leading to the 1957 Act Lord Merthyr, Vice-Chairman of the National Association of Parish Councils (which prepared it), addressed the House of Lords. The Bill, he said *seeks to confer some modest additional powers* and in referring to them later he says *Clause 10 gives a power to contribute towards burial ground*. Merthyr does not mention the church but later on in the debate The Lord Bishop of Ely says: *Under Clause 10, opportunity is provided for the whole community, as represented by the parish council, once more to share in this cost…"*(Hansard 9 July 1957 - Lords Sitting) providing a clear message that we are talking about burials at the Church. I believe we could say it must override the 1894 Act, if indeed it was ever preventive in this particular matter.

It seems obscure that on an issue when a county asks their national body to support a motion giving legal certainty, its response is to refuse and advise that *councils need to consider whether it is prudent to take a course of action that it cannot be certain is legally valid*.

The compliments of the season to you and all at Dunmow.

Yours sincerely

Clive Potter
Clerk to the Council

2017/18				2018/19				
				Approved	Revised	Actual	Forecast	2019/20
Actual			EXPENDITURE (£)	Estimate	Estimate	30 Nov	Outturn	Estimate
	Ref		**General Administration**					
5,330	10		Clerk's Salary/Allowance	5,330	5,330	3,552	5,330	6,830
781	11		Insurances	1,300	1,300	0	1,300	1,300
100	12		Audit Fee	200	200	0	0	0
440	13		Hire of Meeting Halls	460	460	0	460	460
512	14		Broadband & IT Consumables	450	450	335	450	450
25	15		Postage & sundry items	30	30	16	25	25
18	16		Stationery,books etc	30	30	0	0	0
40	17		Remembrance Day Wreath	40	40	40	40	40
570	18		Essex Association of Local Councils	585	585	590	590	590
264	19		Subscriptions	240	240	90	240	240
0	20		Election Costs	100	100	0	0	300
100	21		Chairman's Allowance	125	125	0	125	150
0	22		Other General Expenses	0	0	50	50	0
8,179			**Sub-total**	**8,890**	**8,890**	**4,673**	**8,610**	**10,385**
			Amenities					
2,681	30		Grass Cutting Contract	3,400	3,400	1,701	3,000	3,000
325	31		Hedge Cutting Contract	285	285	0	325	325
0	32		Tree/Hedge planting/maintenance	0	0	500	500	500
0	33		Mower fuel & equip maintenance	0	0	0	0	0
112	34		Playground Inspection/Maintenance	500	500	112	500	500
0	35		Public Seats	100	100	0	100	300
72	36		Bus shelters/Telephone Box	0	0	60	60	60
25	37		Changing Rooms Running Costs	39	39	0	0	0
50	38		Flower Beds	50	50	0	50	50
0	39		Litter Control	60	60	0	0	0
0	40		Flower Festivals	60	60	0	60	60
0	41		Gen repairs & maintenance	250	250	0	250	250
3,266			**Sub-total**	**4,744**	**4,744**	**2,372**	**4,845**	**5,045**
			Projects					
356	50		Neighbourhood Plan (General Fund)	7,200	7,200	1,401	2,000	5,200
490	51		Neighbourhood Plan (Grant)	5,931	5,931	0	8,500	0
0	52		Beacon Lighting Event	750	750	239	239	0
0	53		Work to pond THRG	2,000	2,000	0	2,000	
0	55		Extension to Burial Ground	0	0	0	0	0
165	56		Clean and paint telephone kiosk	0	0	0	0	600
0	57		Speedwatch Scheme	0	0	0	0	0
0	51		Improve seat and area at Beacon Hill	0	0	0	0	500
0	59		Website for Transparency Code	0	0	0	0	0
0	60		IT & Office Equipt	0	0	0	0	0
201	63		Community Protection Team - Trial	1,000	1,000	574	1,000	1,000
0	64		Dog Waste & Litter Bins	0	0	479	479	250
1,213			**Sub-total**	**16,881**	**16,881**	**2,693**	**14,218**	**7,550**
12,658			**TOTAL EXPENDITURE**	**30,515**	**30,515**	**9,738**	**27,673**	**22,980**
			INCOME (£)					
141			Interest - Government Stock	142	142	71	71	71
26			Interest - Income Bonds	25	25	21	21	21
18			Interest - Bank Accounts	2	2	26	26	26
12			Rents & Wayleaves	12	12	12	12	12
0			Transparency Code Grant	0	0	0	0	0
490			Neighbourhood Plan Grant	5,931	8,510	8,500	8,500	0
0			Other	0	0	0	0	0
686			**SUB-TOTAL INCOME(£)**	6,112	8,691	8,629	8,629	129
0				0	0	0	0	0
686			**TOTAL INCOME (£)**	**6,112**	**8,691**	**8,629**	**8,629**	**129**
11,971			**NET EXPENDITURE (£)**	24,403	21,824	1,110	19,044	22,851

Finance Report to Council

2017/18	COUNCIL TAX PRECEPT SUMMARY	2018/19				
19,265	Opening Revenue Balance	26,330	26,330	26,330	26,330	26,557
19,036	Add PRECEPT	19,271	19,271	19,271	19,271	19,271
	Add Government Support Grant	0	0	0	0	0
38,301		45,601	45,601	45,601	45,601	45,828
11,971	deduct NET EXP./add NET INCOME	24,403	21,824	1,110	19,044	22,851
0	Transfer TO Reserve Fund (1)	0	0	0	0	0
0	Transfer TO Reserve Fund (2)	0	0	0	0	0
0	Transfer FROM Reserve Fund	0	0	0	0	0
26,330	**Closing Revenue Balance (£)**	**21,197**	**23,776**	**44,491**	**26,557**	**22,977**
£1239.3	Tax Base for Band D Household	£1254.6	£1254.6	£1254.6	£1254.6	1266.2
£15.36	Band D Household Charge/Precept	£15.36	£15.36	£15.36	£15.36	£15.22

2017/18			2018/19			
		Approved	Revised	Forecast	Forecast	2019/20
Actual		Estimate		Outturn	Outturn	Estimate
	REVENUE RESERVE					
504	Jubilee RG - Changing Hut Insurance	504	504	504	504	504
20,000	Burial Ground Extension (Note 1 below)	20,000	20,000	20,000	20,000	20,000
4,919	General (Note 2 below)	4,919	4,919	4,919	4,919	4,919
25,423	**Total**	**25,423**	**25,423**	**25,423**	**25,423**	**25,423**

Note 1.

This reserve comprises £17,895 from redeemed Treasury Stock plus £2,105 from earlier revenue reserve adjustments

Note 2

The general reserve not earmarked.

	LONG TERM RESERVE & INVESTMENTS					
6,975	Funds from Historic Land Sales	6,975	6,975	6,975	6,975	6,975
6,975	**NET LONG TERM RESERVE FUNDS**	**6,975**	**6,975**	**6,975**	**6,975**	**6,975**
	THE COUNCIL'S INVESTMENTS					
3,975	Treasury Stock*	3,975	3,975	3,975	3,975	3,975
3,000	Nat Savings Income Bond	3,000	3,000	3,000	3,000	3,000
6,975	**Total** (to agree with net funds above)	**6,975**	**6,975**	**6,975**	**6,975**	**6,975**
	* See Assets Register for details					

Revenue Estimates (Actual to Date) Reconciled to Cash Book, Cash at Bank and VAT Claims.

Previous Year End		Actual at Report Date
	Estimates (Net of VAT):	
26,330	Closing Revenue Balance	44,491
25,423	Revenue Reserve	25,423
51,753	Total Balance & Reserves	69,914
	Cash Book (Including VAT):	
44,246	Opening Cash Balance	51,695
23,809	Plus Total Receipts (Including precept)	27,900
16,360	Less Total Payments	10,707
51,695	Closing Cash Balance	68,888
	Cash at Bank:	
26,091	Deposit Account	26,117
25,604	Current Acc. Net	42,771
51,695	Total Cash at Bank	68,888
	VAT Summary	
442	Brought forward from previous year	57
1,123	Paid in current year	968
-1,508	Claimed in current year	0
57	Balance to claim	1,025
51,752	Net Total (to agree with estimates)	69,913