MINUTES OF A MEETING OF THE PARISH COUNCIL HELD ON MONDAY 18 DECEMBER 2017 AT 7.30 PM AT THE VILLAGE HALL

Present: (Vice) Chairman: Cllr. F A Delderfield.
Cllrs. Mrs C Adams, C L Atkinson, R L Bass, A J Gable, J C Gregan, Mrs A V Heaviside, J V Keyes and B S Marshall.

The Vice-Chairman welcomed Cllr. Richard Siddall, Chairman of Little Totham Parish Council to the meeting.

150.17 ELECTION OF CHAIRMAN
Following the resignation of the Chairman at the previous meeting the Vice-Chairman, Cllr F A Delderfield, took the chair and asked for nominations for Chairman. Cllr A J Gable proposed that Cllr. Delderfield be elected and this was seconded by Cllr. Mrs C Adams. There were no other nominations and by acclamation Cllr. F A Delderfield was elected as Chairman for the remainder of the year.

151.17 CHAIRMAN'S STATUTORY DECLARATION
Cllr F A Delderfield made a Statutory Declaration of Acceptance of Office and thanked Members and the Clerk for their support.

152.17 APPOINTMENT OF VICE-CHAIRMAN.
It was proposed by Cllr J C Gregan and seconded by Cllr F A Delderfield that Cllr Mrs C Adams is appointed Vice-Chairman. There were no other nominations and by acclamation Cllr Mrs Adams was duly appointed.

153.17 MINUTES OF THE PREVIOUS MEETING
The minutes of the Meeting of the Council held on 20 November 2017 were confirmed and signed.

154.17 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. 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. Non-pecuniary interests were declared by Cllr J C Gregan in MAL/17/1384; and Cllr J V Keyes in MAL/17/1396.

155.17 ADJOURNMENT FOR THE PUBLIC TO SPEAK
Two members of the public were present. There were no questions.

156.17 CHAIRMAN'S ANNOUNCEMENTS, REPORTS OF OTHER BODIES AND GENERAL CORRESPONDENCE.
There were no matters to announce or report.

157.17 MATTERS ARISING FROM THE MINUTES
There were no matters arising. The Clerk had not been able to carry out any further work on the lay-by parking restrictions or dog waste bins

158.17 PLANNING POLICY AND STRATEGY:
Neighbourhood Plan Steering Group: A meeting was held on 11 December. The open day event held on 8 December with displays where parishioners can be updated and give their views attracted positive feedback and several comments. The event was a useful learning event for the organisers. The grant application for £3,069 has now been received. Some volunteers have come forward to lead and support the Steering Group and Mr Paul Mutton is to meet Parish Council representatives to discuss the way forward.
The Parish Trigger: Further to the discussion at the previous meeting the Clerk now has a response to his questions. The trigger was invoked 52 times from January to August this year and, of those, five applications were refused and one partly refused by the Committee. One was subsequently the subject of an appeal which was dismissed. None of the 52 applications subject to the trigger were from Great Totham. Members concluded that the proposed changes were therefore reasonable.

Transparency and erosion of local influence: Cllr Mrs A V Heaviside had requested an agenda item to make a point about transparency in procedure and the perceived erosion of local influence in planning matters. She said: *Some members may recall I made an enquiry about a 'trigger' and not only did I not receive a reply but was told the Parish Council meeting was not an appropriate place to raise the matter. Since the Parish council is a consultee on planning applications and neither the Parish nor the Officers had supported the application I sought clarification and it had, indeed, been triggered so a simple YES would have sufficed.*

Of greater concern was that NO REASON OR EVIDENCE WAS REQUIRED TO ACTIVATE THE TRIGGER NOR WAS IT DEEMED NECESSARY TO NOTIFY THE PARISH COUNCIL OF THE INTENTION. Thus no one spoke on behalf of the Parish, only those against. Furthermore, despite being advised by the Officer (who one would expect to know a 'sound planning reason if anyone should!) that the site was outside the settlement boundary, there was obviously no obligation to accept either the reason or the advice. Despite members concerns that as it was an outline the applicant 'could come back with a very different proposal at a later stage' - which has, of course, already happened – twice! – it was still approved.

I don't know how many times applications have been called in CONTRARY TO THE ADVICE OF BOTH PARISH AND OFFICERS but it seems singularly undemocratic, hardly equitable and to be so coy about revealing it less than transparent.
I've listened to all the talk about the perceived threat to local influence in planning matters but I am not sure why a new system claiming it will 'improve evidence based decisions' and 'further connect Ward Members with their Parish Councils and residents' can be a retrograde step. The one previously in place obviously had serious shortcomings and I have been embarrassed when trying to explain it to residents.

It was thought that following the removal of the parish trigger, the revised District Council member call-in of applications to committee, where members will have to state valid planning reasons for doing so, should address the problem. Parish Councils, as consultees, still have the opportunity to give their views based on valid planning reasons.

159.17 PLANNING APPLICATIONS
Planning Decisions: The Clerk reported on the latest planning decisions of the District Council. FUL/MAL/17/01134 Removal of existing commercial buildings and

construction of 7 No. mixed rural dwelling houses arranged within a farmstead. Land Adjacent 31 Plains Road, has been withdrawn. The Clerk circulated an article for information from the previous day's Sunday Times claiming that flaws in the planning rules have led to corruption in London.

Latest Applications: Comments on planning applications received up to week ending 15 December 2017 were as follows:

HOUSE/MAL/17/01357 Proposed single storey side extension with alterations to existing garage to convert into a bedroom. Domani 11 Rookery Lane - The proposed development is not considered to be out of proportion to the plot and would not result in any detrimental harm to the character and appearance to the rural area. The Council recommends approval.

FUL/MAL/17/01366 Use of barn for weddings and similar functions for a maximum of 8 events per year. Barn The Lodge Captains Wood Road – The application site is located in ancient woodland which is a local wildlife site (Ma45) and the Council believes that the proposed activity and diversification of use of the (modern) barn, would be detrimental to this sensitive area and negatively impact upon wildlife and the natural environment. The proposed car park and entrance track would have an adverse effect on the open aspect of the countryside and be detrimental to the ancient landscape. Moreover, the additional traffic generated by the proposed activity would be unacceptable in this location with narrow roads, bends and junctions. The Council recommends refusal.

HOUSE/MAL/17/01371 Conversion of carport into living space and creation of additional parking space. 23 Beadle Place Great Totham – The Council has no objections.

FUL/MAL/17/01384 Part single storey, part two storey family dwelling. Land Adjacent 18 Totham Hill Green - The Council recommends refusal. It was noted that the plans submitted with this application are changed from those submitted with the now withdrawn application FUL/MAL/17/01025 The new Plans submitted with this application are still not consistent with the indicative plans submitted with the approved outline application OUT/MAL/16/01490.

The site is between two listed buildings in a sensitive rural location outside of a settlement boundary. The proposed development as a result of its unsympathetic scale and form would not protect or enhance the natural, built or historic environment but be at odds with its function as part of the wider rural context of this site and its surroundings. It would have an unacceptably intrusive urbanising effect upon the site and on the setting and wider character adversely affecting the intrinsic character of the immediate area which is noted for its distinctive rural feeling including the setting of the adjacent registered Village Green and four designated and four non-designated heritage assets in the area. On this basis, the proposal is not considered to represent sustainability and the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the scheme contrary to the guidance and provisions of the National Planning Policy Framework in particular Paragraphs 7, 14, 109, 113, 131, 132, 134, 135 and 216 as well as policies S1, S3, S2, S8, D1, D3, D15 and N2 of the Maldon District Approved Local Development Plan.

In respect of any development on the site the Parish Council has some concerns about the narrowness of the public highway at the location; and the security and

integrity of Totham Hill Green on the opposite side of the road. The Green is registered under the Commons Registration Act 1965, and is under the stewardship of the Great Totham Parish Council which may take such steps for the protection of the land against unlawful interference as could be taken by an owner in possession of the land. Any damage to the Green is unacceptable. Conditions should therefore be attached to any planning consent to take these matters into account both during the construction stage and in the longer term.

With regard to the public highway; the width of the road is, in part, such that only one car can pass so no parking is available on the adjacent highway or allowed on the adjacent Green. The road is also used by coaches and farm vehicles. It would therefore be appropriate to include the Maldon District Council Standard Conditions J3 to ensure adequate parking is available on the plot before occupation of any proposed dwelling.

In considering both the narrow highway and Totham Hill Green; Maldon District Council Standard Conditions V8 should be included to the effect that no development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Maldon District Council. The approved Statement will exclude any use of Totham Hill Green and shall be adhered to throughout the construction period. It shall provide for:
• The parking of all vehicles associated with the development including those of site operatives and visitors;
• Loading and unloading of plant and materials;
• Storage of plant and materials used in constructing the development.

LDE/MAL/17/01396 Claim for lawful development certificate for existing use of land for the restoration, renovation and maintenance of sports field equipment and similar machinery together with related office and workshops. Workshop Wheelers Farm Plains Road – The Parish Council can confirm the claim set out in paragraph 3.1 of the claim document. The Council had its mowing equipment repaired on the site and one of our Members has personally used the service more than ten years ago.

HOUSE/MAL/17/01125 Two storey side extension. Sycamore Cottage Goat Lodge Road [Revised plan & description] - The Council repeats its previous comments that the design of the proposed extension appears to suit the existing house and large site and does not appear overbearing or cramped. The Council recommends approval

RES/MAL/17/01041 Reserved matters application for the approval of appearance on approved planning application OUT/MAL/15/00057 approved on appeal APP/X1545/W/15/3138864 (Outline application for the erection of one new dwelling) Land Rear of 61 Broad Street Green Road Great Totham [Revised drawings & application to include reserved matters of appearance, layout & scale] – The Council has no comment.

HOUSE/MAL/17/01362 Construction of side and rear extensions at the ground and first floor. Roundbush, Colchester Road - The proposed development is not considered to be out of proportion to the plot and its design would not result in any detrimental harm to the character and appearance to the rural area. The Council recommends approval.

WTPO/MAL/17/01432 TPO 2.84 A1 – Various works. 16 Playle Chase - The Council is guided by and supports the Maldon District Council Tree Officer's recommendation.

For information only LDP/MAL/17/01368 Claim for a lawful development certificate for proposed replacement of existing dilapidated outbuilding with a new outbuilding of a smaller footprint. The White House Maypole Road - Noted

160.17 FINANCE:
Special Parish Clerks' meeting: The Clerk had attended a Special Parish Clerks' meeting with the Director of Resources at Maldon District Council. The meeting discussed the Council Tax Base and arrangements for submitting the precept notices. Forthcoming changes to the Data Protection Act and reminders to Members about updating the Register of Interests were discussed.

Estimates: Members considered the latest finance report for the current year and draft estimate for 2018/19 (attached). The first Neighbourhood Plan grant was received and expenditure will take place over two years. A summary plan is shown below.

Some work needs to be carried out on the Council's sites and property and site visits will be carried out by the Clerk and Cllr C L Atkinson to ascertain the extent so at this stage it was thought prudent to maintain the Council tax at the same rate as in the current year of £15.36 for a Band D household.

It was then **resolved** to levy a precept of £19,271 resulting in a Parish Council tax of £15.36 for a band D household.

Neighbourhood Plan Budget – Two Year Summary
Following a survey of parishes undertaking Neighbourhood Plans in the Maldon District and advice from the RCCE it was agreed to allow £17,200 in the 2017/18 budget to produce a plan. This total includes and assumes part funding by government grants of £9,000 which are available to assist parishes.

The grant application has to identify and estimate for specific classes of expenditure necessary to prepare a plan e.g. Publicity; specialist consultancy. So far £3069 has been awarded and the effect on budgeting is shown below:

	2017/18			2018/19	Two Years Estimates
Neighbourhood Plan	Approved Estimate	Revised Estimate	Actual to 14 Nov	Estimate	
EXPENDITURE					
General Fund	17,200	1,000	332	7,200	8,200
Grant Funded	0	3,069		5,931	9,000
Total	17,200	4,069	332	13,131	17,200
INCOME					
Grant	9,000	3,069	3,069	5,931	9.000
General Fund (Net)	8,200	1,000	-2,737	7,200	8,200

Confirmation of Payments: Cheques were confirmed for:

Amount (£)	Payee	Service
3217.78	Maldon District Council	Grass cutting April – September
43.50	Silicon Alley	Printing paper, envelopes & lamination sleeves
84.60	SLCC	Annual subscription
479.05	C R Potter	Salary/allowance £444.00 Neighbourhood Plan Refreshments £27.25 Postage stamps £7.80

161.17 AMENITIES
Report of the Chairman of the Committee: Cllr C L Atkinson reported that hedge cutting has been carried out and the hedges are looking good. He has visited a resident at 16 Hall Road and agreed the replacement of a small self-sown oak tree with a crab apple as it is more appropriate to the situation. Mr Roger Clark will be asked to carry out some further work for the Council. Cllr Atkinsons's report was received and adopted.

162.17 HIGHWAYS AND TRANSPORTATION
Localism Rangers Work: No further work was identified.
Speeding along Plains Road: Cllr. Richard Siddall had asked if this matter could be discussed as Plains Road is partly in this Parish, although the worst part seems to be at the bend near Office Lane. It was agreed that clear unambiguous signs near Penny's Brook and clear road marking would improve the situation, but not in the case of "boy racers"
Flooding at Plains Road: Cllr. Richard Siddall had also asked if this matter could be discussed. It was noted that flooding does occur, for example in 2016, and it was thought that the flow under the road may be impeded. Generally, it was recognised that property owners have a responsibility to keep their watercourse clear.

163.17 COMMUNITY POLICING, SAFETY AND REGULATION
Speedwatch Report: Cllr C L Atkinson reported on speedwatch training and activity and he is to liaise with Little Totham. He has received a few speed awareness stickers to place on wheelie bins and it was thought that it would be a good idea to obtain more. Three volunteers have received training including Cllr B S Marshall who also attended Tru-Cam training to be run by the Enforcement team.

164.17 ANY URGENT BUSINESS AND FUTURE AGENDA ITEMS
There was no urgent business.

The Chairman invited those present to the Compasses after the meeting.

The meeting closed at 9.04 pm.