

Minutes of the Clavering Parish Council Meeting held on Monday 14th August 2017 at 7.30pm in Clavering Village Hall

Present – Councillors Stephanie Gill (Chairman), Rob Clayton (Vice Chair), Richard Carter, Michael Patmore, Ron Couchman, Brian Barrow, and Victoria Moore (Clerk)

District Councillor Oliver

4 members of the public were also in attendance

1. **Chairman welcome** The meeting opened at 7:30pm and the Chairman thanked everyone for attending. The August meeting is usually restricted to planning. It was decided to add more the agenda to reduce the length of the September meeting.
2. **Apologies for absence**
 Cllr Stanford
 Essex County Cllr Ray Gooding
 Kemi Badenoch (MP) – declined to attend
 Nicola Beach (Executive Director for Infrastructure and Environment) – declined to attend
 Andrew Cook (Director Highways and Transportation), – Cllr Grundy declined to attend on his behalf
 Cllr Grundy (Cabinet member for Highways) – declined to attend
3. **Declaration of Interest**
 Cllr Gill declared a non-pecuniary interest in item 13 (attendance of EALC AGM)
 Cllr Couchman declared a non-pecuniary interest in item 23 as a member of the Open Spaces Society.
4. **Public Participation Session**
 Resident of Cock Lane told the meeting that he had made a Freedom of Information request to ECC and this showed that no action had been undertaken. The road is important as it is the main access to 20 houses. The resident asked: 1) what action has the PC undertaken on the resident's behalf? 2) Can we call a public meeting to address this point? The resident requested that the issue is high on the PC's agenda. He pointed out that the reopening of Cock Lane is not purely for convenience but safety. There are thatched houses and old houses of significant importance. Residents feel that they have been very patient. ECC admit that under Section 41 of the Highways Act 1980 they have an obligation to maintain this highway.
 A resident felt that the allotments had been side lined due to the issue with the Village Greens. The spare land is overgrown and full of weeds. The weeds have seeded so it is too late this year to cut the spare land. Another resident pointed out that the damage to Cock Lane was first reported to ECC on 6th January 2016. The resident requested that the PC sends representatives to the Highways surgery meeting and can the PC ask to speak at the full ECC County Meeting. The resident pointed out that there was a road accident on Curles Hill in July and it took 50 minutes for Police to arrive and 1 hour for ambulance. In addition, there has been another accident at Watery Stones as there is evidence (debris and tyre marks) that someone went into the ditch.
5. **To co-opt a Councillor**
 The PC received an email from Nigel Cook
 It was resolved that the PC co-opt Nigel Cook onto the PC.
 P: Cllr Gill S: Cllr Barrow All in Fav
 Nigel Cook joined the Councillors
 Nigel Cook signed the Declaration of Acceptance of Office and Clavering Parish Council Register of Members' Interests General Notice of Registerable Interests.
6. **To approve the minutes of the last meeting of Clavering Parish Council Monday 10th July 2017**
 There was a query on Financial Regulations section 4.8. The Clerk and Cllr Stanford understood Cllr Couchman had proposed that the RFO shall regularly provide the council with a statement of receipts and payments at each regular meeting rather than each financial quarter. Cllr Couchman had actually proposed that the RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget at each regular meeting of the Council rather than each financial quarter. The Clerk felt that monthly was unnecessary and would also add to her work load. It was resolved that the RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget at each financial quarter as per the NALC model.
 P: Cllr Gill S: Cllr Barrow In Fav: 5 Ag: 1

It was resolved to amend and approve the minutes of the last meeting of Clavering Parish Council Monday 10th July 2017

P: Cllr Clayton S: Cllr Carter In Fav: 5 Ag: 1

8. Cock Lane update - moved to item 7

Cllr Gill presented a summary:

- FOI requests state only design this year and construction 'in future years'
- The diversion routes have not been monitored, by ECC as promised, for potholes and overgrown vegetation. It was last monitored in May 2016. A report was made to ECC on 30th June (which ECC stated would be investigated within 28 days) however this was not done and the report reference now gives a report start date of 1st August and response within 28 days of that date.
- <http://www.essexhighways.org/interactive-maps-and-live-travel-information/live-traffic-map.aspx> no longer shows the closure nor the diversion route.
- There are 5 thatched houses and 1 thatched barn, plus 3 timber framed houses. The fire Service advised that 6 engines would need to attend a fire at one of these properties.
- Emergency services:
Fire Brigade at SW confirmed to Clerk they were not aware that the road was closed. Would have taken expected route along Lower Way, had to turn back and added vital minutes to rescue time. They now have this on their crib sheets at the station. He requested that road closed ahead signs are placed at the junction of Lower Way and High Street. He also informed Clerk that 6 tenders attend a thatched fire. New tenders cannot go over Watery Stones due to their size. Station Manager was concerned that Cock Lane is very narrow with bends and therefore the diversion route needs to be gritted (CPC had asked for this last winter) therefore the Station Manager will support the PC in an application to have Cock Lane gritted during the winter months.
- CPC note that the Roads Closure notification ceases 28th September as is only for 18 months (two prior temporary ones: 15th Feb 2016 – 21 days & 7th March -21 days). Also note that the ECC engineer who first went to the site asked for the design process to start 17th March 2016. (Admitted by ECC in June 2016 this had not yet started, and because the diversion route is one van width and has no verge for a pedestrian to take refuge, the inspection in May 2016 was carried out in a car.)

It was resolved to submit Freedom of Information requests to ECC for:

- I. Date of all inspections carried out by engineers and design team at the site
- II. Date of submission of reports of all engineers and design teams further to the site visits.
- III. Date of determination by ECC that the design only would be carried out in the financial year 2017/18 and supporting reasons of this decision.
- IV. Date of determination by ECC that the repairs would take place 'in future years' and supporting reasons for this decision.
- V. Date when ECC removed the road closed status of Cock Lane and relative diversion route from roadworks.org.uk
- VI. Inspection Rota, including actual dates of Inspection, for the cutting back of vegetation, making safe of the diversion route for Cock Lane closure, ensuring all erected barriers at collapse site are safely positioned.
- VII. Date of ECC meetings or any correspondence with Environment Agency and dates of response of Environment Agency to these meetings/correspondences.

P: Cllr Gill S: Cllr Carter All In Fav

It was resolved to hold a Public Meeting inviting David Finch (Leader of ECC), Gavin Jones (Chief Executive of Essex County Council), Cllr Ray Gooding, Kemi Badenoch (MP), Nicola Beach (Executive Director for Infrastructure and Environment), Andrew Cook (Director Highways and Transportation), Cllr Grundy (Cabinet member for Highways), the emergency services, Saffron Walden Reporter/Walden Local Newspaper, BBC Essex radio

P: Cllr Couchman S: Cllr Gill All in Fav: 3 Ab:3 Cllr Gill uses her deciding vote. The motion is carried.

It was resolved that the Clavering Parish Council should make a request to Cllr Gooding to ask that he arrange for the CPC to attend Highways Surgery

P: Cllr Gill S: Cllr Barrow All in Fav

It was resolved that the Clavering Parish Council should submit questions and attend a Full ECC Council meeting on 10th October 2017. Clerk to check dates for submitting questions.

P: Cllr Gill S: Cllr Clayton All in Fav

It was resolved that the Clerk should investigate how to petition ECC for a motion to be tabled at an ECC Full Council Meeting

P: Cllr Couchman S: Cllr Clayton In Fav: 4 Ab:2

The Clerk was instructed to write to Roger Hirst (Police and Fire Service) about the Winter Service and gain advice and information from them. The Clerk was asked to copy Cllr Oliver, Cllr Ray Gooding and the MP into correspondence.

The Councillors wish it to be noted that Cllr Gooding has been supportive of Clavering Parish Council regarding Cock Lane and that he is displeased with the situation.

7. **District Council report** from Edward Oliver – moved to item 8
Nothing new to report. The Local Plan has asked for consultation but there has not been very many comments. Cllr Oliver hopes that PC will make their views known. No suggestion of houses in Clavering (including behind the school) other than the 13 houses at Oxleys Close. UDC approved their accounts.
9. **Planning**
 - UTT/17/1906/HHF and UTT/17/19 07/LB Ponds Manor, Deers Green**
Erection of two storey rear extension, alterations to roof of rear wing, new entrance door with canopy on east elevation, replacement windows in rear wing and internal alterations to modern partition walls. No comments
 - UTT/17/1950/FUL Land formally the garden at The Hazels, Wicken Road**
Revised scheme to that approved under UTT/17/0188/FUL. (Comments - appendix A)
Following the planning meeting when the application UTT/17/1950/FUL was approved, the developer told members of the PC he would be submitting new plans to increase size of the dwellings. The PC requested that District Cllr Oliver call it in if looks like the application will be approved.
 - UTT/17/2098/FUL and UTT/17/2099/LB Orchard Farm Church End Church Lane Rickling**
Conversion of barns to a private residential dwelling including change of use of land to residential garden use. No Comments
 - UTT/17/21 93/HHF Springwood 2 Butts Green Valance Road**
Erection of two storey side extension. No Comments
10. **To discuss any other planning applications** received subsequent to the agenda being published and/or shown on the Uttlesford District Council website up until 3pm on the day of the meeting – none.
11. **UDC Local Plan**
The Councillors discussed the Local Plan (<https://www.uttlesford.gov.uk/new-local-plan>)
Clavering Parish Council support the garden village principles in that the infrastructure (education and medical facilities, shops and transport links) will be put into place prior to house occupation. All in Fav
12. **Financial Regulations**
To clarify the amendments requested – covered in item 6 above.
13. **EALC Courses**
To approve the Clerk's attendance to the Data Protection Course on 11th September 2017
P: Cllr Gill S: Cllr Clayton All in Fav
To note Cllr Gill's attendance at EALC AGM 19th September 2017
14. **Grass Cutting of Village Greens**
To consider the grass cutting regime at Starlings Green following the meeting with the solicitors
It was resolved to take item 14 during item 22
P: Cllr Carter S: Cllr Clayton In Fav: 5 Ag: 1
15. **Defibrillator Pads**

It was resolved to order new defibrillator pads

P: Cllr Gill S: Clayton All in Fav

16. CIF Grant

CPC to send an expression of interest regarding applying for a CIF grant for the village sign

All in Fav

17. Pond Cottage

The council considered the photographs of the Village Green adjacent to Pond Cottage. The council noted that they must demonstrate fairness regarding trespass across all village greens. It was noted that the owners know that the land is a registered village green and parish land and there is no vehicular access. It was resolved to write to the owners of Pond Cottage and remind them that there is no vehicular access.

P: Cllr Gill S: Cllr Barrow In Fav:5 Ab:1

18. Clerks report

The Councillors received details of general correspondence and the monthly report. The Clerk brought the following to the attention of the Council:

- PC deeds in a fire safe at The Bower House as the solicitors to charge for photocopying. The Clerk and Chairman had to access the deeds during the allotment access way research. PC to arrange for electronic copies to be made. Clerk instructed to seek quotes for the September meeting.
- Allotments – Deeds found in records. Thames Water representative has sent a request to the budget holder and is waiting for a work start date.
- Allotments - Water in the meter reported to Affinity. Request to read the meter monthly. Job has been logged. Clerk to chase. Allotments must be covered in PC's grass cutting contract.
- Stansted Airport Community Consultation
- Spreading Thicket Stickling Green
Cllr Clayton declares an interest and leaves the meeting
Clerk to contact the Balaams to ask them to cut the allotments and Blackthorn suckers. If the Balaams are unable to do this contact Paul Abrahams and Jonathans Frans.
Clerk was asked to remind the Balaams to send their current insurance certificates.
Cllr Clayton returns to the meeting
- CPC to consent to UK Power to trimming Dick Ball Meadow hedge opposite Bank View – yes
- Working Party for the Village Green Policy 22nd August, 7:30pm at The Bower House village

19. Risk Assessment Book

Near Chipperfield House, oak tree split down the middle in front of the pump. Cllr Carter to remove it. Brushwood will be good for the Jubilee Field bonfire. Cllr Carter to contact Charlie Balaam.

Clerk instructed to contact tree surgeons for professional advice to assess and quote for works for all the Lime trees on Upper and Lower Hill Green. In particular, the Limetree on Upper Hill Green (on the track to Derryanne, left handside of the driveway, opposite the white gate) has a fungal disease and the top of the tree is dying. Also, a lime tree in the row of trees from Hill Crest needs the boles cleaning.

Permission to extend the meeting at 9:30pm

20. Finance

To receive the quarterly budget comparison

Credit Received		£0.00
Victoria Moore Wages		£424.05
Balance at NatWest Bank as at 31.07.17		£9,759.69
Total of Cheques to be paid		£132.40
Chq. No	Payee	Amount
1615	Victoria Moore (wages)	£ 87.40
1616	EALC (Training)	£ 45.00
1617	Victoria Moore Expenses	£ 27.49
1616 – extra time (see June expenses for a breakdown)		

Total of Outstanding Cheques		£72.60
Chq. No	Payee	Amount
1609	RCCE membership	£ 72.60
After above Cheques		£9,554.69

It was resolved to pay the extra time to the Clerk

P: Cllr Gill S: Cllr Clayton All in Fav

It was resolved to sign the checks

P: Cllr Clayton S: Cllr Carter All in fav

21. Items for next agenda:

Village sign

Benches

Printer

Code of Conduct

To agree the minutes of the 'in camera' PC meeting held on the 12th June 2017.

To agree the minutes of the May Cottage Committee meeting held on the 31st July 2017

To agree the minutes of the PC meeting on the 14th August 2017.

Copying documents

Village Green Policy

Grass Cutting (Flail mower allotments)

Signed..... Monday 11th September 2017

S.M.Gill

Appendix A

Clavering Parish Council objects to this Planning Application, which is for construction outside the agreed development envelope.

Clavering Parish Council is disappointed to see that the dwellings proposed have significantly increased in size to the dwellings approved in the planning application UTT/17/0188/FUL. The Parish Council wishes to point out that the dwellings on this application have a larger footprint than those in the original application (UTT/15/2348/FUL) which was refused and then dismissed at appeal.

The appeal notice Appeal Ref: APP/C1570/W/16/3142380 Land adjacent to The Hazels, Wicken Road, Clavering, Essex CB11 4QT states "11. There are gaps at either side of the proposed dwellings and the boundary of the site however, these are not sufficient in size to provide an appropriate sense of space which would be required around such large dwellings which is characteristic of this part of Wicken Lane." This statement continues to be relevant as the design and size of the dwellings in the application are very similar to the dismissed appeal and therefore Clavering Parish Council hope that UDC take note of the inspectors previous decision.

In addition, the inspector in her appeal decision states that "22. the economic and social benefit of the support to local services and contribution to housing supply created by this development would not outweigh the harm to the countryside that would be caused by the loss of the green and open site and the introduction of an inappropriate form of development." As the proposed footprints are larger than the footprints dismissed in the appeal Clavering Parish Council is hopeful that UDC will also consider the proposed development inappropriate due to their size.

Furthermore, the appeal document states "23. there are no specific details regarding the proposed landscaping or biodiversity measures. I cannot be satisfied that sufficient measures could be taken to provide greater opportunities for biodiversity than the site in its current undeveloped form. As the development would cause harm to the intrinsic character and beauty of countryside it would not constitute sustainable development or appropriate development in this countryside location." Due to the size of the proposed dwellings this statement from the Planning Inspectorate should also be taken into consideration.

It should be noted that Inspector in making her decisions used the NPPF measure of weighing the benefits of the proposed homes to the harm caused to the surroundings and considered the benefits of the two dwellings of a smaller footprint than this application was not sufficient to outweigh the harms caused.

Clavering Parish Council would also like to point out that the Landscape and Visual Appraisal is dated November 2016 and states that no revised proposals to the original dismissed application had been received and that it is a pre-emptive appraisal for two buildings on the site.