

ELM PARISH COUNCIL

MINUTES OF MEETING

22 OCTOBER 2013 – 7.00 pm.

Present: Councillor Stokes, Vice-Chairman in the Chair; Councillors Mrs Hopkin, Mrs Lankfer, Milham, Pinnock and Webb.

In attendance: District Councillor Sutton.

Apologies: Councillors Brand, Cotterell, Mrs Cotterell, Softley and Miss Webb.

The minutes of the meeting of 17 September 2013 were confirmed and signed.

68/13 Open Forum

(1) Provision of play equipment at Coldham

A resident of Coldham expressed his thanks to the Parish Council for its decision, at minute 59/13 (4), to provide play equipment at Coldham.

Members decided that the comments of the resident be noted.

(2) Fridaybridge Clocktower – contract for servicing the clock

A resident commented that the decision reached by the Parish Council at minute 66/13 (1) had not been taken lawfully as the item of business, which had been considered under the Correspondence item on the agenda for the October 2013 meeting of the Parish Council, had not appeared specifically on the published agenda. In addition, he alleged that the decision does not accord with the Parish Council's Financial Regulations, as the council had not obtained other quotations for this work. The resident commented that he would not be lodging a formal challenge to the decision, as he agreed with the decision reached (although not the decision-making process).

Members decided that the comments of the resident be noted.

(3) Former Church Hall and Fire Station House, Main Road, Elm

A resident of Elm referred to a letter that he had sent to Fenland District Councillor King with regard to the condition of the former Church Hall and Fire Station House, Main Road, Elm (minute 78/13 (4) refers). He expressed the view that this building is in a poor state of repair and made the point that he would like to see an improvement in the appearance of the site.

The resident commented that, although being aware that this matter is one for Fenland District Council (FDC), as the Local Planning Authority, he would like the support of the Parish Council in requesting FDC to take action to address the situation. He commented that, although the owner of the building possesses the necessary planning permission, he is sceptical about any re-development taking place at this site.

Members decided that the comments of the resident be noted and that they be taken into account when considering his correspondence in this matter (minute 78/13 (4) refers).

69/13 Resignation from membership of the Parish Council

Further to minute 57/13, the Clerk reported that there had been no election called to fill the vacancy on Elm Parish Council and, consequently, he had undertaken the process that he had outlined at minute 57/13 in relation to filling the vacancy by co-option.

The Clerk reported that had, therefore, advertised the vacancy by way of publication of a notice on the Parish Council's website and its notice boards. The deadline for receipt of applications for co-option to membership of Elm Parish Council was 13 October 2013, to enable the co-option process to be undertaken at this meeting of the Parish Council.

The Clerk reminded members that persons interested in filling the vacancy were invited, by way of the published notice, to make application in writing (setting out why he or she would be suitable for co-option to membership of Elm Parish Council, as well how he or she meets the qualification criteria for membership of a Parish Council); as a result of this process, no applications had been submitted.

The Clerk sought members' views on a way forward and whether the recent "expression of interest" process should be repeated at this time.

Two members reported that they had each been approached by a person interested in seeking co-option to the Parish Council; however, neither of these two potential candidates had subsequently made an application in that regard.

Members decided that

- (1) the information reported by the Clerk be noted;
- (2) the recent "expression of interest" process be not repeated at this time;
- (3) they would, when "going about their business", draw the councillor vacancy to the attention of local people who they feel could be interested in becoming a Parish Councillor;
- (4) this matter be considered further at the next meeting.

70/13 Members' Code of Conduct

Further to minute 31/12, the Clerk reminded members of the need for them to submit to the Monitoring Officer at Fenland District Council any changes to the content of their Register of Member Interests forms.

Members decided the reminder from the Clerk be noted and acted upon.

71/13 Progress on actions from minutes of last meeting

(1) Facilities for young people in the parish (minute 59/13 (1))

The Clerk informed members that the situation with regard to Fenland District Council's adoption of the open space land at Grove Gardens is unchanged from that reported at minute 59/13 (1).

Further to minute 32/13 (1), the Clerk referred to a further exchange of e-mails with a resident of Grove Gardens, Elm (on behalf of a number of residents of the estate and the Neighbourhood Watch group) and himself regarding this matter; the Clerk had forwarded copies of the e-mails to members in advance of the meeting.

In his e-mails to the Clerk, the resident of Grove Gardens states, in summary, that

- no progress has been achieved in this project in almost two years; perhaps the Parish Council should consider alternative uses for the money which has been ear-marked for this project
- residents of Grove Gardens feel that the Parish Council is focussing its attention on Grove Gardens as the potential site for the installation of play equipment and is not considering other potential sites
- residents' property deeds prevent the installation of such play equipment on the open space land at Grove Gardens According to the resident, the deeds state that: (1) no play area can be in the line of sight from certain aspects within the estate; (2) only apparatus of a certain size can be installed at the play area; (3) the current play area is for toddlers only. The resident alleges that this fact continues to be ignored by Fenland District Council and Elm Parish Council
- villagers feel that the playing field at Begdale Road would be the ideal site for providing a play area
- providing a play area on the open space area at Grove Gardens would have an unacceptable impact upon the lives of nearby residents.

The Clerk had responded by e-mail to all of the points raised by the resident.

Councillor Pinnock requested that the current situation be clarified by the Clerk and recorded in the minutes of this meeting. He expressed the opinion that it is offensive for this council to be accused by the author of the e-mail of ignoring statements made by the residents of Grove Gardens; it is equally wrong for suggestions to be made that either Elm Parish Council or Fenland District Council would intentionally be involved in any illegal or unlawful acts.

The Clerk summarised the current situation, as follows:

- Elm Parish Council has ear-marked a sum of £20,000 for the provision of "toddler" play equipment in Elm
- the Parish Council does not own a suitable site for the installation of play equipment and has asked Fenland District Council to help identify a suitable site
- one possible site identified, around eighteen months ago, by Fenland District Council is the small play area at Grove Gardens
- the open space land at Grove Gardens is still in the ownership of the company which developed this site
- Fenland District Council (FDC) is working with the land owners to achieve adoption by FDC of the open space area at Grove Gardens; until adoption takes place, FDC has no powers in relation to use of that land
- with regard to seeking to identify other potential sites for the siting of play equipment within Elm, Fenland District Council suggests that it would be appropriate to undertake a consultation within the community, before devoting time to such an identification exercise. Such an exercise would not be embarked upon until conclusion of the process to adopt the public open space and community open space at the Grove Gardens estate. The residents of Grove Gardens would be included within the consultation exercise
- no action would be taken by the Parish Council to progress the installation of play equipment at Elm until the District Council is able to provide a suitable site within the village.

Members decided that the information reported by the Clerk be noted.

(2) Elm Cemetery – operational issues (minute 59/13 (2))

With regard to removal of debris from the extended area of the cemetery, the Clerk reported that the Community Payback Team (CPT) had now undertaken this work. The Manager of the Community Payback Service had subsequently enquired as to whether the Parish Council would rotavate the area again to see if there is further debris lying below the surface; the CPT would then return to the cemetery to remove any further debris found.

The Clerk reported that, further to minute 59/13 (2), he had written to the family on 21 September 2013 informing them that, given the family's refusal to do so, the Parish Council would be taking direct action to remove the "unauthorised" items from around this plot.

Councillor Pinnock and the Clerk had inspected burial plot North 345 on 21 October 2013 and witnessed that all of the "unauthorised" items had been removed with the exception of an ornamental van at the foot of the plot, two solar lights at the head of the plot and the artificial grass which had been laid on the land between burial plot North B345 and the cemetery roadway.

Councillor Pinnock, who had asked for a copy of the Clerk's letter to the family, commented that the letter was both courteous and concise. He had been informed by the Clerk that, in response to this letter, he had received a voicemail message which, in summary, says "You have sent my daughter-in-law a threatening letter, saying that the council will vandalise this grave. I think the council is acting this way towards our family because it has something against people who commit suicide. We will take this matter further".

Councillor Pinnock stated that he takes the utmost exception to the voicemail message; the letter sent to the family on behalf of the Parish Council was not threatening; it merely stated the action that the council proposed to take. He expressed the opinion that neither the members nor the Clerk of Elm Parish Council are in the practice of intentionally or unintentionally causing acts of vandalism; he also said that he is convinced that no member of Elm Parish Council has ever considered the cause of a death as grounds for actions taken; the council's sole aim in this matter has been to seek to ensure that this family honours the promise that it made to the Parish Council.

The Clerk confirmed that Councillor Pinnock's comments provide a true and fair account of events.

Members decided that

- (1) the information reported by the Clerk be noted;
- (2) the Clerk would obtain from the Parish Council's grounds maintenance contractor a quotation for rotavation of the extended area at Elm Cemetery, for consideration at the next meeting;
- (3) an appropriate local contractor be engaged to remove the remaining "unauthorised" items from around burial plot North B345;
- (4) no further plots be allocated on the northern side of the existing burial area (not including the new extended area) at Elm Cemetery beyond the row bearing the plot numbers B345 to B359.

(3) Cutting of trees etc in the parish (minute 63/13)

The Clerk reported a quotation received – as a result of site meetings involving Councillor Pinnock, himself and a local contractor - for the trimming of Willow trees and various shrubs along Chapel Lane, Elm and the trimming of two Willow trees at The Leam, Fridaybridge.

The Clerk also reported a quotation obtained, at the request of the Chairman, for cutting the hedging at Coldham playing field (at a cost of £740.00).

Members decided that

(1) the quotation received in respect of the tree works at Chapel Lane, Elm and The Leam, Fridaybridge, in the total sum of £585.00 be accepted;

(2) as the Parish Council is neither the owner nor lessee of the playing field at Coldham, it would not be appropriate to fund the cost of hedge trimming works at that location.

72/13 Whitemill Local Environment Fund Committee

Further to minutes 47/13 (7) and 62/13, members received a presentation from Ms Edgington and Mrs Callaby, officers of Fenland District Council, on the operation of the Whitemill Local Environment Fund Committee.

Ms Edgington explained the representation on the committee; the aim is to have one or two representatives of each of the villages within the parish. There are currently no representatives from Fridaybridge and Rings End. In addition to the maximum of eight representatives from the community, two seats each have been allocated to Fenland District Council, Elm Parish Council and the Co-operative Group. The committee will meet twice annually; there has been one meeting of the committee to date.

Under the terms of the Section 106 Planning Obligation, the site owner pays to Fenland District Council a sum of £7,000 (index linked) annually for every year that the Whitemill Windfarm is in commercial operation (currently 25 years). To date, there have been no applications from the community for funding from this source.

Ms Edgington provided each member with a copy of the Constitution of the Whitemill Local Environment Fund Committee and drew their attention to certain sections of that document (including Fund Management and Fund Distribution).

Ms Edgington explained the manner in which the application process would operate and gave examples of the types of projects which would meet the eligibility criteria for funding – all projects must deliver an environmental benefit - under the terms of the Section 106 Planning Obligation; such as:

- choosing LED lighting instead of standard lighting for Christmas lights
- planting a hedgerow (for wildlife) instead of a metal fence for a boundary
- using recycled aggregate and drainable material for a car park and pathway to a games area instead of using concrete
- choosing wood burning instead of electric or oil heating for a community building
- installing insulation to a community building to save on the energy bills
- installing a compost toilet at allotments to eliminate the need for water to the site
- choosing recycled plastic products, such as a picnic bench, to enhance a community area.

Mrs Callaby explained that a Section 106 Planning Obligation is a legal agreement between the Local Planning Authority and an applicant/developer and any others who may have an interest in the land and is intended to make acceptable in planning terms a development which would otherwise be unacceptable. She added that Planning Obligations can:

- restrict development or use of land
- require specific operations or activities to be undertaken in relation to the land
- require payment of sums of money to help mitigate the impact of the development

- require land to be used in a certain way.

Mrs Callaby made the point that Planning Obligations are commonly used to secure community infrastructure to meet the needs of residents in new developments and/or to mitigate the impact of new developments upon existing infrastructure/community facilities.

Councillor Pinnock commented that it would have been more appropriate for the District Council to have engaged with the Parish Council at the time of producing the Section 106 Planning Obligation for the wind turbine development, rather than now.

Ms Edgington and Mrs Callaby responded to members' questions.

Members decided that

- (1) the information reported by Ms Edgington and Mrs Callaby be noted;
- (2) Mrs Callaby would arrange for the Parish Council to receive (via the Clerk) details of the Section 106 Planning Obligation monies still available for use in the parish of Elm and provide examples of the types of projects that would accord with the funding criteria applying to each of the sums of money available.

73/13 Former Church Hall, Main Road, Fridaybridge

The owner of the former Church Hall, Main Road, Fridaybridge (Mr D Housden) addressed the Parish Council on the current situation with regard to his plans for this site and sought members' views on whether the proposal could be modified in a way which would lead to improvements in that part of the village.

Mr Housden responded to some the comments made by the local resident at minute 68/13 (3) and made the point that he is not the owner of the former Fire Station House.

Mr Housden informed the Parish Council that, at the time of purchasing this site (some years ago), he was prepared to offer for the hall to continue being used for the community; however, the absence of any parking facilities meant that it was no longer suitable for such a purpose. He commented that the site now benefits from a planning permission for conversion of the existing building into three dwellings and that the conversion work is now scheduled to commence within the next six to nine months. He added that the completed scheme would look very similar to the current building.

The site owner stated that, although planning permission exists for conversion of the building into three dwellings, he would like to discuss with the Parish Council what they would like to see done with the building and, in particular, if there is anything that could be done to improve the visibility for cars and pedestrians crossing the road from Rose Lane and Halfpenny Lane to Main Road.

Members decided that

- (1) the information presented and comments made by the owner of this site be noted;
- (2) in their opinion, the site owner should proceed, as early as possible, with implementing the current planning permission for this site; in the meantime, they would like to see the site maintained in a tidy condition.

74/13 Police matters

The Clerk reported that PCSO Dave Russ, of the Wisbech and District Neighbourhood Policing Team, was unable to attend the meeting, This officer had, however, provided a report detailing recent incidents of crime and disorder within the geographical area covered by Elm Parish Council, which the Clerk presented to members, including:

- Coldham – one incident of persons acting suspiciously
- Fridaybridge – no incidents reported
- Elm – two incidents of criminal damage; one report of theft of a cycle from an unsecured shed; two incidents of vehicle nuisance; one report of two males acting suspiciously; one theft of a motor vehicle; one incident of arson; one theft of an item from the garden of a residential property.
- Rings End – no incidents reported.

Members expressed their disappointment that, once again, it had not been possible for a PCSO to attend the meeting and suggested that the Neighbourhood Policing Inspector be informed of the value that they place upon being able to have a dialogue at Parish Council meetings with such an officer.

Members decided that

- (1) the information reported by the Clerk, on behalf of PCSO Russ, be noted;
- (2) the Clerk would inform the Neighbourhood Policing Inspector for Fenland of the value that they place upon being able to have a dialogue at Parish Council meetings with such an officer, requesting that every effort be made to facilitate this.

75/13 Planning applications

Members considered the following planning applications and decided to submit to the Local Planning Authority the comments set out (in italics) below:

- (1) Erection of 2 x 22.6 metre high (hub height) wind turbines with associated works at Newsham Farm, March Road, Rings End – F/YR13/0734/F (applicant: Urban Wind Limited).

That the application be supported.

- (2) Erection of a stable block including the laying of hardstanding and roadway on land north-east of The Poplars, Kirkhams Lane, Elm – F/YR13/0737/F (applicant: Miss L Taylor).

That the application be supported.

76/13 Reports from District and County Councillors for the parish

Given the absence from the meeting of the County Councillor who represents the parish of Elm (Gordon Gillick) no report was received by the Parish Council in relation to current County Council issues.

Councillor Sutton, one of the two District Councillors who represent the parish of Elm, informed the Parish Council that he continues to ensure that officers at Fenland District Council are pursuing adoption of the play area at Grove Gardens, Elm (minute 71/13 (1) refers) and also working to identify other potential sites for the siting of play equipment within the village. He also reported that the District Council is about to embark upon preparations for its budget for 2014/15; this is expected to result in a 10% reduction in the level of Concurrent Functions Grants awarded to Parish Councils.

Members decided that the situation be noted.

77/13 Financial matters

The Clerk reported on the Parish Council's income and expenditure since the last meeting, as follows:

Income

Maxey Grounds	Cottage rent (less fees)	£523.60
A R Clingo	Burial plot purchase and interment fee	£660.00
Fenland District Council	Parish Precept – second 50%	£15,000.00
UK Power Networks	Electricity wayleave – March Walsoken	£215.87
J P Smith	Allotment rent	£1,750.00
Total Income		£18,149.47

Expenditure

Glazewing	Wheelie bin emptying – Elm Cemetery (includes VAT of £13.43)	£80.59
R J Warren Ltd	Grounds maintenance contract (includes VAT of £235.33)	£1,411.96
T Jordan	Salary (less income tax of £204.48 and NI of £45.17), Broadband and other expenses	£883.84
Mrs S Woodhouse	Playing field security (quarterly payment to 30 September 2013)	£100.00
Smith of Derby	Service contract (6 years duration) for clock at Fridaybridge Clocktower (includes VAT of £177.40)	£1,064.00
Richard Kierman Contract Window Cleaner	Cleaning of Parish Council notice boards and information boards	£45.00
Mrs D Gray	Sale of two burial plots (purchased in 1991) back to the Parish Council	£60.00
John Williams	Repair works to Rings End notice board	£150.00
D A Pest Control	Control of moles at Fridaybridge	£60.00
Total Expenditure		£3,855.39

In addition, the Clerk reported on the levels of funding held within the Parish Council's bank and savings accounts as at 30 September 2013 (in the total sum of £127,581.74), together with the month-end figures for each of the preceding six months and as at 30 September 2012. The Clerk made the point that although the Parish Council's bank and savings accounts at 30 September show a total of approximately £127,500, not all of this money is available for day-to-day expenditure as a total of around £98,000 is held as earmarked (for specific items of expenditure) and general (a contingency at the level of 150% of the Precept) reserves and, therefore, the Parish Council possessed at 30 September an actual available balance of approximately £29,000. He also reminded

members of some of the financial commitments made by the Parish Council (including funding for repair works to the bells at All Saints Church, Elm (minute 18/13 (3) refers) and the provision of play equipment at Coldham (minute 59/13 (4) refers)); the Clerk undertook to report on these outstanding financial commitments at the next meeting.

In accordance with minute 21/11, the Clerk reported on the management accounts that he had produced for the second quarter of the 2013/14 financial year; he gave explanations as to variances between the estimated income and expenditure for the year and the actual levels of income and expenditure in the financial year to date.

Further to minute 65/13, the Clerk confirmed that the Financial Services Compensation Scheme does not apply to Parish Councils; in fact, the scheme does not apply to any local government body (it applies only to individual persons, some business and to small charities).

Further to minute 99/12, the Clerk reported on a meeting held on 16 October 2013 involving the Chairman, Councillors Mrs Hopkin and Pinnock and himself with the new tenant of allotment plots 1 – 8 Shepperson's Field regarding further works required to those plots to enable them to be cultivated by the tenant. Any action in this regard would have financial implications for the Parish Council.

Further to minutes 59/13 (4) and 65/13, Councillor Pinnock handed to members updated version of the five years cash forecast – the Clerk would deliver copies to those councillors who were absent from the meeting – the figures with the cash forecast had been revised to

- delete the provisional financial allocation for Fridaybridge (in year two) and replace it with a sum of £18,500 (in year one) for the provision of play equipment at Coldham (to reflect the decision at minute 59/13 (4))
- increase the estimated income from burial fees from £8,000 to £9,000 per annum.

Councillor Pinnock urged members to take the time to study the five years cash forecast and to contact the Clerk or himself if they need clarification or explanation of the content.

Members decided that

- (1) the income of £18,149.47 be noted and that the expenditure of £3,855.39 be authorised;
- (2) the levels of funding held within the Parish Council's bank and savings accounts as at 30 September 2013, together with the month-end figures for each of the preceding six months and as at 30 September 2012, be noted;
- (3) the financial information within the second quarter's management accounts be noted;
- (4) as a result of reviewing the Parish Council's current banking and savings arrangements, the Clerk would make arrangements for closure of the two Business Accounts (and transfer of those funds into the council's Current Account and that the council should continue to hold its National Savings Bonds (five bonds totalling £98,000));
- (5) the Clerk would seek clarification regarding any restrictions placed upon local councils in spending capital receipts;
- (6) action to improve the condition of allotment plots 1 - 8 Shepperson's Field (so that they would be in a suitable condition for cultivation by the tenant) be considered at the next meeting of the Parish Council.

78/13 Correspondence

(1) Neighbourhood Alert.

The Clerk read to members an e-mail from the Cambridgeshire Police and Crime Commissioner, informing the Parish Council of the launch of Neighbourhood Alert; this is software which will deliver an improved e-Cops system, providing (for those who sign-up) a more effective means of communication between the Constabulary and communities. Anyone wishing to sign-up to the new system can do so by visiting www.ecops.org.uk.

Members decided that the information reported by the Clerk be noted.

(2) Overgrown hedging and trees at Halfpenny Lane, Elm.

The Clerk read to members a letter from a local resident regarding overgrown hedging and trees at a particular property which borders Halfpenny lane, Elm; the author of the letter makes the point that the situation causes difficulties for large vehicles (such as delivery and refuse collection vehicles) in accessing Halfpenny Lane, Elm.

Councillor Stokes offered to speak with the occupier of the property concerned.

Members decided to note the contents of the letter read by the Clerk and to accept the offer of Councillor Stokes to speak with the occupier of the particular property.

(3) Elm and Fridaybridge Youth Club.

Further to minute 28/13 (3), the Clerk read to members an e-mail from the County Council's Youth Development Co-ordinator, informing the Parish Council that the application submitted by the Elm and Fridaybridge Youth Club for funding (to cover three years' full operating costs) under the BBC's Children in Need scheme had been unsuccessful. The Clerk also read to members a copy of the letter received by the Elm and Fridaybridge Youth Club (which had been sent to him as an attachment to the e-mail) from Children in Need.

The Clerk reminded members that the Parish Council had agreed at minute 134/12 (5) that £2,000 be provided to the Elm and Fridaybridge Youth Club for the period 1 April to 30 September 2013, with the level of further financial support in 2013/14 (if necessary) being considered later in the financial year.

Members decided that the content of the e-mail be noted and that both the Youth Development Co-ordinator and the Lead Youth Worker for the Elm and Fridaybridge Youth Club be invited to attend the next meeting of the Parish Council to discuss funding issues in relation to continued operation of this youth club.

(4) Former Church Hall and Fire Station House, Main Road, Elm.

The Clerk informed members formally of the receipt from a resident of Elm an e-mail (and attached copy of a letter sent, on behalf of a number of local resident, to District Councillor King, requesting the District Council to take action to secure improvements to the condition of the buildings and appearance of this site), which he had circulated to Parish Council members in advance of the meeting.

In the e-mail, the resident asked that the Parish Council agrees to write to Fenland District Council in support of the resident's concerns.

Members took into account the comments made at minute 68/13 (3) by the author of the e-mail.

Members decided that

(1) the content of the e-mail and its attachment be noted;

(2) given the action taken by this resident and in the light of minute 73/13, no action by the Parish Council in this matter is necessary.

79/13 Date of next meeting

Members were reminded that the next meeting of the Parish Council had been scheduled for 19 November 2013, commencing at 7.00 pm, at the Parish Council office, Begdale Road, Elm.

Meeting finished at 8.40 pm

Signature:.....(Council Chairman).

Date:.....