

ELM PARISH COUNCIL

MINUTES OF MEETING

16 SEPTEMBER 2014 – 7.00 pm.

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

Apologies: Councillors Brand and Milham plus District Councillor Tanfield.

In attendance: District Councillor Sutton and County Councillor Gillick.

The minutes of the meeting of 19 August 2014 were confirmed and signed.

58/14 Open Forum

(1) Halfpenny Lane, Elm

Further to minute 46/14 (1), the resident of Elm who had expressed his concern regarding overgrown vegetation along certain areas of Halfpenny Lane, commented that the situation remains the same as he had described at minute 46/14 (1).

The Clerk informed members that he had, as agreed at minute 46/14 (1), referred the matter to the Local Highway Authority.

Members decided that the comments of the local resident and the Clerk be noted and that the Clerk would pursue this matter further with the Local Highway Authority.

(2) Fridaybridge Clocktower

Further to minute 46/14 (2), the parishioner who had informed the council that he had witnessed a lack of internal illumination of the clock faces on the clocktower at Fridaybridge commented that the situation remains the same as he had described at minute 46/14 (2).

The Clerk and a number of members commented that they had travelled past the clocktower on a number of occasions recently and had witnessed the illumination to be working.

Members decided that the Clerk would request the company which undertakes the maintenance of the clock to investigate the situation as part of the next servicing of the clock.

59/14 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.

60/14 Progress on actions from minutes of last meeting

(1) Facilities for young people in the parish (minute 48/14 (1))

The Clerk informed members that the Parks and Open Spaces Manager at Fenland District Council (FDC) had stated that FDC is still awaiting a response from the land owner regarding the adoption plans.

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

(2) Elm Cemetery – operational issues (minute 48/14 (2))

Further to minute 152/13 (2), the Clerk informed members that preparation works in relation to re-painting of the fencing and gates at Elm Cemetery had commenced.

Members decided that the current situation be noted.

(3) Grove Gardens, Elm (minute 48/14 (3))

The Clerk reported to members the further response that he had received from the District Council's Legal Services Team, requesting answers to the questions asked by Councillor Pinnock.

The officer of the District Council's Legal Services Team states, in relation to the points raised in Councillor Pinnock's email, that she is only able to respond to the extent of the information that had been provided by the Council's Parks and Open Spaces Manager. As confirmed by her previously, negotiations between the Council's Parks and Open Spaces Manager and the land owner regarding the adoption plan are still ongoing; the Legal Services Team would not be entering into correspondence with the land owner's solicitors until agreement regarding the adoption plan had been reached.

The officer of the District Council Council's Legal Services Team comments that the council's Parks and Open Spaces Manager had provided prices to the land owner for Fenland District Council to undertake the works required to facilitate and accelerate the adoption process. Fenland District Council would not adopt a site that is not at the required standard. Negotiations are ongoing to agree the plans and commuted sum figures for current and future works to enable compliance under the planning obligation.

Councillor Pinnock asked whether the Clerk had informed Fenland District Council that Elm Parish Council had two choices regarding the installation of play equipment at Elm – the Pocket Park or community land at the rear of Grove Gardens. The Clerk responded that no such contact had been made by him with Fenland District Council.

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

(1) in the light of that information and the content of minute 60/14 (1), the Clerk would inform Fenland District Council that Elm Parish Council is under pressure from Elm residents to act in this matter and to ascertain the opinion of the Parks and Open Spaces Manager at Fenland District Council (FDC) as to the likelihood of adoption of the community land at Grove Gardens by FDC in the near future;

(2) if, in the opinion of Parks and Open Spaces Manager at Fenland District Council (FDC), it is likely to be some considerable time before the community land at Grove Gardens could be adopted by FDC, the Parish Council would consider, at its next meeting, the provision of play equipment at the pocket park adjacent to Chapel Lane, Elm instead of at Grove Gardens.

(4) Play equipment provision in Elm and Fridaybridge (minute 48/14 (4))

The Clerk reminded members again of the decisions which had been made by the Parish Council at minute 36/14 and the need for actions to be taken to deliver the proposals; hence, he suggested that this matter should feature as a “standing” item on agendas for meetings of Elm Parish Council until such time as the schemes had been delivered.

Members decided that this item should feature as a “standing” item on agendas for meetings of the council.

(5) Memorial to the late Mac Cotterell (minute 48/14 (5))

The Clerk reported that he had placed an order for the type of memorial bench agreed by the council at minute 48/14 (5), at a total cost (including delivery) of £935.00 plus VAT; the manufacturer/supplier has estimated that delivery of the bench would be made no later than the middle of October 2014.

Members decided that the information reported by the Clerk be noted and that arrangements be made, following delivery of the bench, with a local contractor for installation of the bench at the location with Elm Cemetery agreed at minute 48/14 (5).

61/14 Begdale Road playing field

Further to minute 48/14 (6), Mr C Payne, representative of the Elm Football Club, attended the meeting to update members on the achievements of the football club.

Mr Payne commented that Elm Football Club has just begun its third season and has been able to get to a point where it owes (to certain club members) only around £400 to cover its set-up costs (which included purchase of a portacabin, line markers and nets). Because of the limited changing facilities on site, the club is still only able to play in the Sunday League. He commented that Elm Football Club had assisted the local McMillan Football Club (MFC) by allowing it use of Elm Football Club's equipment and the playing field; the MFC now has use of the pitches at Wisbech Town Football Club and Gorefield Football Club.

Mr Payne mentioned his aspirations to encourage more youngsters to participate in sporting activities; members feel that such aspirations should be applauded. He expressed the view that Elm Football Club's use of the playing field has economic benefits to the parish, especially through spending locally by members of visiting teams.

Mr Payne responded to members' questions.

In response to a question as to whether he felt that Elm Football Club should soon begin making a payment to the Parish Council for use of the playing field, Mr Payne commented that he would be happy to provide such an income to the Parish Council but such action would result in a delay in the club being able to fund improvements to its changing facilities etc.

Members decided

- (1) that the information reported by Mr Payne be noted;
- (2) unanimously – upon a proposal of Councillor Pinnock, seconded by Councillor Webb – that Elm Parish Council wishes to continue to support Elm Football Club and would allow the club's use of the playing field on a free-of-charge basis until the end of the 2014/15 football season and review the situation prior to the beginning of the 2015/16 season.

62/14 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 – no incidents reported
- Fridaybridge – one incident of theft of personal belongings from an individual
- Elm – one incident of wounding with intent; one report of theft of diesel from a vehicle; one incident of theft from outbuildings; one theft of a motor vehicle
- Rings End – no incidents reported.

The PCSO's report included details of the outcome of the meeting of the Rural South Neighbourhood Forum held on 10 September 2014; the primary concerns of those residents who engaged in the process were fly tipping, littering, dog fouling and speeding through rural villages. The Constabulary will allocate resources to seeking to address the speeding issue and the other matters raised have been referred to Fenland District Council.

Members decided that the information reported by the Clerk, on behalf of PCSO Russ, be noted.

63/14 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 a single-storey side extension to existing dwelling at 1880 Cottage, Needham Bank, Fridaybridge – F/YR14/0658/F (applicant: Mr O Hartley).

That the application be supported.

- (2) Felling of one Lime tree covered by TPO 9/1968 at Gemini House, 9 Gosmoor Lane, Elm – F/YR14/0681/TRTPO (applicant: Miss J Garner).

That the application be supported.

64/14 Reports from District and County Councillors for the parish

Councillor Gillick, the County Councillor who represents the electoral division which includes the parish of Elm, informed members that he had attended recently a seminar at the County Council on savings, of £37 million, which need to be achieved by that council's Community and Infrastructure Directorate; measures to achieve the savings include: disposal of assets (including council buildings); a reduction in the number of annual cuts of grassed highway verges; dimming and/or switching off street lamps during the "early hours" of mornings; reductions in the spending on highways maintenance works across the County. He mentioned also that he had requested the County Council's Road Safety Manager to examine the possibility of installing additional traffic calming measures across his electoral division.

Councillor Sutton, one of the District Councillors who represents the parish of Elm,

- informed members that the necessary trimming/cutting works to address the problems of overgrown vegetation along Fridaybridge Road, Elm had been undertaken recently by the Community Payback Team
- mentioned, further to minute 52/14, that Fenland District Council is now dealing with the future of Concurrent Functions Grants and the likely requirements for spending by Parish Councils in terms of repair and

maintenance works to street lamps as two separate issues; it is now proposed that Concurrent Functions Grants would not be reduced below the 2014/15 level; Balfour Beatty is still working on its survey, on behalf of Fenland District Council, of street lamps

- confirmed the situation, as explained by the Clerk at minute 60/14 (1), with regard to the adoption of the open space and community land at Grove Gardens and expressed the opinion that the land owner is deliberately delaying the adoption process
- mentioned, further to minute 40/14, that he the new fencing for Peartree Way and Henry Warby Avenue, Elm is now in place.

Members decided that the situation be noted.

65/14 Concurrent Functions Grants and Parish Council street lighting (provisional liability of £75,000)

At minute 53/14 members decided that the following item be deferred at that time and be placed on the agenda for this meeting of Elm Parish Council:

"Councillor Pinnock to raise the following issues: (1) examination of the procedure and results of meetings held by Fenland District Council (FDC); (2) taking action to ensure that the Clerk/Responsible Financial Officer (RFO) is kept fully informed of all administrative and financial matters affecting Elm Parish Council; (3) requesting formally from FDC confirmation of the purpose of the survey of street lamps and to request that, in future, all correspondence be addressed to the Clerk/RFO of Elm Parish Council; (4) ensuring that the Chairman informs the Clerk/RFO of all matters relating to the operational running of the council".

Councillor Pinnock expressed regret that the Chairman was not in attendance at this meeting, at which parish street lighting was to be considered, as he is the lead councillor on this matter. Councillor Pinnock commented that if Elm parishioners wish to see replacement/refurbishment of all street lights owned by Elm Parish Council, it is likely, based upon the initial figures obtained by the Clerk, a provisional cost to Elm parishioners of £75,000 within the next three years.

Councillor Pinnock questioned why the street lights require replacement or refurbishment and suggested that this may be due to a European Union directive, due notice of which could have been given to Parish Councils earlier. He expressed the view that if Parish Councils been given adequate notice of this situation, the required funding could have been collected through the Parish Precept over a number of years.

Members decided that

- (1) the Clerk would seek to ascertain from Fenland District Council (which had commissioned the survey of street lights in Fenland) whether the condition survey of street lights had been in response to a European Union Directive and, if so, the date of the directive and why had this information not been brought to the attention of Parish Councils;
- (2) this item be placed again on the agenda for the next meeting of Elm Parish Council.

66/14 Weed growth on the ponds at Grove Gardens, Elm and possible implications for the pond at The Leam, Fridaybridge

Councillor Pinnock referred to the current parrot feather weed growth in the ponds at the entrance to the Grove Gardens estate at Elm and suggested that the Parish Council should seek to ascertain the land owner's intentions with regard to addressing the situation and expressed his concern as to whether there is the potential for this to "spread" to the pond at The Leam, Fridaybridge.

Councillor Pinnock expressed the opinion that if it became necessary for the Parish Council to address such an issue at The Leam it could result in a significant level of expenditure by the council; he, consequently, suggested that Elm Parish Council should include in its accounts an ear-marked reserve of up to £50,000.

Members decided that the comments and suggestions of Councillor Pinnock be noted and that the Clerk would seek, via the Parks and Open Spaces Manager at Fenland District Council, to ascertain the land owner's intentions with regard to addressing the parrot feather weed growth in the ponds at the entrance to the Grove Gardens.

67/14 Fishing at The Leam, Fridaybridge

Councillor Pinnock referred to an e-mail that members had received from a resident of The Leam, Fridaybridge seeking to gain an understanding of the status of the No Fishing rule at the pond at The Leam.

The Clerk explained that there is no byelaw in place to either prohibit or allow fishing at this pond; the council simply has a sign in place at The Leam which has the effect of requesting persons not to fish. As this requirement is not supported by any legal "backing", the rule is not enforceable.

Councillor Webb informed members of his recollection that the sole reason for provision of a No Fishing sign at The Leam was as a result of advice from the council's insurers, a number of years ago, as a measure to mitigate the risk of persons falling into the water. Some other councillors shared Councillor Webb's recollection in this regard.

Members decided that the position be noted and that the enquirer be informed of the situation.

68/14 The Openness and Accountable Local Government Bodies Regulations 2014

The Clerk reported on the Openness of Local Government Bodies Regulations 2014, which were made under Sections 40 and 43 (2) the Local Audit and Accountability Act 2014 and came into force on 5 August 2014.

The regulations allow reporting at meetings which are open to the public (with the exception of any part of the meeting where the public and press are excluded for the transaction of business which includes confidential information). The regulations do not require a council to permit oral reporting or commentary on a meeting as it takes place, as it is considered that this could cause disruption to proceedings.

It is a requirement of the regulations that any person attending a meeting must, so far as is practicable, be afforded reasonable facilities for reporting and may use any communication method, including the Internet, to publish, post or otherwise share the results of their reporting activities. Publication and dissemination may take place during the meeting or afterwards.

The Clerk informed members of the definition of "reporting" in the context of these regulations.

Much of the regulations merely repeat and reinforce existing arrangements requiring that meetings are held in public and that meeting documents are published. These regulations do not introduce a requirement for councils to broadcast their meetings.

The regulations also make provision for the recording of certain decisions taken by officers acting under powers delegated to them by a town or parish council. The way in which those decisions are recorded and made available to the public is prescribed by the regulations. The Clerk detailed to members the three categories of decision which are affected by these regulations.

As a result of these regulations, Elm Parish Council Standing Order number 33, which currently reads "There shall be no audio or video recording or photographs of the meeting without the express approval of the Council", requires amendment.

Members decided that council:

- (1) notes the requirements of the Openness of Local Government Bodies Regulations 2014 and the implications for Elm Parish Council;
- (2) amends the wording of Elm Parish Council Standing Order number 33, to that set out below, to ensure the council's compliance with the requirements of these regulations:

"Members of the public, representatives of the press and councillors may film, audio-record, take photographs and use social media to report on meetings as they are taking place and the council shall make reasonable provision for this to happen. Members of the public and representatives of the press who wish to report on meetings in this way are advised to contact the Parish Clerk in advance of the meeting so that any arrangements, if necessary, can be made. Any person whose recording activities are disruptive to the meeting may be required by the Chairman to cease recording and may be removed from the meeting";

- (3) requires the Clerk to the Council to put in place arrangements to ensure the council's compliance with the requirements of the Openness of Local Government Bodies Regulations 2014 in terms of the recording of decisions taken by officers.

69/14 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
J Underwood	Additional memorial inscription	£66.00
J G Cross	Additional memorial inscription	£66.00
Kent Memorials	Additional memorial inscription	£66.00
Richard King Memorials	Cemetery memorial	£148.00
Total Income		£869.60

Expenditure

Glazewing	Wheelie bin emptying – Elm Cemetery (includes VAT of £14.10)	£84.62
R J Warren Ltd	Grounds maintenance contract (includes VAT of £241.88)	£1,451.29
T Jordan	Salary (less income tax of £146.20 and NI of £8.16), Broadband and other expenses	£667.62
HM Revenue and Customs	Clerk's Income Tax and NI (June, July and August 2014)	£509.46
Kierman Window Cleaning	Clean parish notice and information boards	£45.00

Cambridgeshire County Council	Funding for Elm and Fridaybridge Youth Club – first quarter 2014/15	£1,000.00
PKF Littlejohn LLP	External Audit of 2013/14 accounts (includes VAT of £60.00)	£360.00
Carter Cabin Hire Ltd	Hire of disabled toilet for Coldham Fun Day (includes VAT of £24.00)	£144.00
Total Expenditure		£4,261.99

In addition, the Clerk reported on the levels of funding held within the Parish Council's bank and savings accounts as at 31 August 2014 (in the total sum of £129,632.54), together with the month-end figures for each of the preceding six months and as at 31 August 2013.

Further to minute 13/14, the Clerk reported that the Parish Council's accounts for 2013/14 had been "signed off" by the External Auditor.

Further to minute 54/14, the Clerk reported that he had sought to ascertain from the Secretary of the Elm Parochial Church Council (PCC) whether the PCC is still in need of financial assistance from the Parish Council for repair works to the six bells at All Saints Church, Elm (minute 116/13 (3) refers) but that, to date, he had not received a response.

Members decided

- (1) that the income of £869.60 be noted and that the expenditure of £4,261.99 be authorised;
- (2) that the levels of funding held within the Parish Council's bank and savings accounts as at 31 August 2014, together with the month-end figures for each of the preceding six months and as at 31 August 2013, be noted;
- (3) to note that, after allowing for the Parish Council's ear-marked reserves (totalling £55,935.50) at 31 August 2014), the actual balance available to the Parish Council at 31 August 2014 was £73,697.04; making further allowance for a general contingency (at the level of 150% of the 2014/15 Precept, which equates to £45,000) reduces the actual balance available to the Parish Council at 31 August 2014 to approximately £28,700;
- (4) that the situation regarding the Parish Council's accounts for 2013/14 be noted;
- (5) that the Clerk would pursue a response from the Secretary of the Elm Parochial Church Council.

70/14 North East Cambridgeshire: Review of Polling Districts and Polling Places

The Clerk reported on the consultation exercise currently being undertaken by Fenland District Council (FDC), between 1 September and 24 October 2014, in relation to a review, in accordance with the Electoral Registration and Administration Act 2013, of where FDC locates its polling districts and polling places in North East Cambridgeshire for the purpose of Parliamentary and local government elections.

The District Council must complete the review by 31 January 2015. Any changes to the polling districts and polling places resulting from this review would be in place for the Parliamentary and local government elections scheduled currently for 7 May 2015.

The consultation letter from Fenland District Council (FDC), which was read to members by the Clerk, gave a definition of the terms of polling district, polling place and polling station; the letter was accompanied by a consultation feedback form.

Details of the current and proposed arrangements are available on the District Council's website:
<http://www.fenland.gov.uk/article/3434/Polling-District-Review>.

Members decided that any responses they wish to make to the consultation questions asked by Fenland District Council be sent to the Clerk in time for him to forward such comments FDC by the deadline of 24 October 2014

71/14 Correspondence

The Clerk reported that he had received no correspondence since the last meeting of the council which required reference to members.

Members decided that the situation be noted.

72/14 Date of next meeting

Members were reminded that the next meeting of the Parish Council had been scheduled for 21 October 2014, commencing at 7.00 pm, at the Parish Council office, Begdale Road, Elm.

Meeting finished at 8.05 pm

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

Date:.....