

ELM PARISH COUNCIL

MINUTES OF MEETING

19 MAY 2015 – 7.10 pm.

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

In attendance: District Councillor Sutton (until 7.25 pm).

Apologies: Councillor Brand and District Councillor Tanfield.

The minutes of the meeting of 21 April 2015 were confirmed and signed.

1/15 Open Forum

Possible creation of a dog walking area at Fridaybridge

A resident of Fridaybridge explained to the Parish Council his proposal for the creation of an off-the-lead dog-walking area on an area of grassed land between Queens Drive and Church Road, Fridaybridge; it is believed that the area of land is in the ownership of Fenland District Council.

The resident mentioned that the area of land is enclosed by secure fencing, with the exception of the entrance from Church Road. He stated that if the proposal were to be agreed by the land owner, he would arrange the necessary local fundraising to meet the costs of providing gates to the area; there would be no cost to the "public purse" resulting from implementation of this proposal.

The resident explained what he sees as the advantages of this proposal for the local community.

Members decided that the comments of the resident be noted and that Elm Parish Council would inform Fenland District Council, which it believes to be the owner of the land in question, that it supports this proposal.

2/15 Election of Chairman

Councillor Brand was appointed as Chairman of the Parish Council for the municipal year 2015/16; the Clerk will make arrangements for Councillor Brand to make his Declaration of Acceptance of Office in relation to that appointment.

3/15 Co-option of Parish Councillors

Further to minute 171/14 (2), members considered the co-option of councillors to fill the five vacant seats (three in the Elm and Fridaybridge ward and the other two in the Rings End ward) on the Parish Council.

The Clerk informed members that persons interested in filling the vacancies had been invited 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 the Parish Council); as a result of this process, five applications had been received by the Clerk - four for the three vacancies in the Elm and Fridaybridge ward and the one for the two vacancies in the Rings End ward; however one of the applicants for the Elm and

Fridaybridge ward had made it known to the Clerk in advance of the meeting that he would also be happy to be co-opted to represent the Rings End ward on the council. The five applicants, all of whom qualify for membership of Elm Parish Council, had been invited, by the Clerk, to attend the Parish Council meeting.

The Clerk had forwarded a copy of each of the applications to Parish Council members in advance of the meeting.

After reminding members of the process to be utilised for co-opting a councillor, the Clerk invited members to nominate these candidates as well as any other person(s) who they may wish to propose. All five candidates (but no other person) were proposed and seconded (three for the Elm and Fridaybridge ward and two for the Rings End ward).

Members decided, unanimously, that

- (1) the vacancies in the Rings End ward of Elm Parish Council be filled by the co-option of Mrs M Cotterell and Mr D Patrick;
- (2) the vacancies in the Elm and Fridaybridge ward of Elm Parish Council be filled by the co-option of Miss W Ferguson, Mr R Milham and Mr A G Stokes.

Following their respective signing of a Declaration of Acceptance of Office, Councillors Mrs Cotterell, Miss Ferguson, Milham, Patrick and Stokes participated in the meeting.

4/15 Election of Vice-Chairman

Councillor Stokes was elected as Vice-Chairman of the Parish Council for the municipal year 2015/16.

5/15 Chairman's Allowance for 2015/16

Members considered the setting of a Chairman's Allowance for the municipal year 2015/16.

Members decided, unanimously, that the sum of £300.00 be allocated to meet the expenses of the Chairman of the Council during the municipal year 2014/15.

6/15 appointment of membership of the Finance Committee for the municipal year 2015/16

Members decided that membership of the Finance Committee for the municipal year 2015/16 be Councillors Brand, Mrs Cotterell, Milham, Pinnock and Webb.

7/15 Members' Code of Conduct

The Clerk informed members of the need to complete a Register of Member Interests form, consequent to their election or co-option to membership of Elm Parish Council, and then for them to submit to the Monitoring Officer at Fenland District Council any subsequent changes, as they arise, to the content of that form

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

8/15 Progress on actions from minutes of last meeting

(1) Play equipment provision in Elm and Fridaybridge (minute 163/14 (3))

With regard to the possible provision of play equipment at Elm, the Clerk reminded members that he had been informed informally, and is awaiting receipt of formal confirmation, from the Local Highway Authority (LHA) that – as the scheme for the creation of a play area on the grassed verge area at Abington Grove, Elm would not involve any change to the public highway, such as pedestrian crossing points or parking bays – there would be no requirement for the LHA to undertake a safety audit.

The Clerk reminded members that the contractor with whom the order had been placed for the manufacture and installation of the play equipment, as agreed at minute 124/14 (1), had decided to undertake no work in relation to this order until such time as the Clerk had received formal confirmation from the Local Highway Authority that no safety audit would be required.

With regard to the provision of play equipment at Fridaybridge, the Clerk informed members that he had heard nothing from any officer at Fenland District Council (FDC) since forwarding to FDC a completed application form for funding from WREN towards the provision of play equipment at the playing field at Maltmas Drove, Fridaybridge.

Members decided that

- (1) the information reported by the Clerk be noted;
- (2) the Clerk would seek to obtain an update from Fenland District Council in relation to the progress in delivering a scheme for the provision of play equipment at the playing field at Maltmas Drove, Fridaybridge;
- (3) as soon as he receives formal confirmation from the Local Highway Authority (LHA) that there would be no requirement for the LHA to undertake a safety audit in relation to the Parish Council's scheme for the creation of a play area on the grassed verge area at Abington Grove, Elm, the Clerk would request the contractor to commence work on the manufacture and installation of the play equipment.

(2) Fishing at The Leam, Fridaybridge (minute 163/14 (4))

The Clerk informed members that he had received a further response from the Department for Communities and Local Government (DCLG) in relation to the draft byelaw he had submitted for provisional approval and the subsequent information that he had provided to the Byelaws Team at the DCLG.

The officer the DCLG's Byelaws Team makes the point that byelaws can be an effective tool in addressing anti-social behaviour within a local community and that, equally, byelaws, as local laws, are appropriate only when a council has no other measures through which the issue could be addressed.

The Byelaws Team notes that the Parish Council has said that measures such as signage have been used as part of bringing about compliant behaviour but found that any breaches could not be enforced. As byelaws should not duplicate legislation or measures already in place to address the issue, the council should consider first what legislation, including legislation under the Environmental Acts and Clean Neighbourhood Act, could be used to tackle the issue. The officer of the Byelaws Team suggests that Elm Parish Council may wish to contact officials at the Department for Environment, Food and Rural Affairs on any legislative provisions, before seeking to make an application to bring in byelaws. Any application received by the Department would need to demonstrate and evidence that there is no legislation or other measures through

which the issue could be addressed, and as part of a local authority submitting a robust application to the Department.

The officer of the DCLG's Byelaws Team makes the point that the enforcement of any byelaws is an important part of any decision to confirm byelaws. Where a council makes an application to the Department to make byelaws, it is because there is an issue within the local community over a sustained period and the council wishes to make byelaws to tackle the issue. Byelaws can only be an effective tool if any breaches are being enforced. As part of any application to make any byelaws, the DCLG would need assurances that any byelaws made and brought into force would be enforced.

Councillor Pinnock proposed that, in the light of the guidance and advice now provided by the Byelaws Team at the DCLG, the Parish Council should proceed no further with seeking to implement a byelaw.

Members decided that the information reported by the Clerk be noted and that, in the light of the response from the DCLG, Elm Parish Council would proceed no further regarding the introduction of a No Fishing byelaw in respect of the pond at The Leam.

(3) Abington Grove, Elm - parking on the grassed verge area (minute 163/14 (5))

The Clerk reported that the Local Highway Authority (LHA) has confirmed that, having undertaken safety audit, it has no issue with the Parish Council's proposed installation of timber bollards around the green area to the left of the Abington Grove entrance, provided that the bollards are passive; meaning that they would break if struck by a car. The LHA states that this can be achieved by cutting the post below ground level; the rule that the manufacturer should work to is to leave no more than 89 mm square in the post; this means that if the post is 150 mm square, the manufacturer would need to cut 30.5 mm in from all four sides and have a 25 mm wide cut all round.

Members decided that the information reported by the Clerk be noted and that he would forward to the manufacturer/supplier of the timber bollards the requirements of the Local Highway Authority in that regard.

9/15 Police matters

Mrs Tina Gambell, Cambridgeshire Constabulary's local Meetings Liaison Officer, attended the meeting, in place of PCSO Sue Clarke, to inform the council of recent incidents of crime and disorder within the geographical area covered by Elm Parish Council, since the last meeting of the council, including:

- Coldham – no incidents reported
- Fridaybridge – no incidents reported
- Elm – two non-dwelling burglaries and one at a public house
- Graysmoor Drove – one theft of fishing equipment
- Nettle Bank – one theft of a pedal cycle
- Rings End – no incidents reported.

Mrs Gambell commented that it would be extremely difficult for the Constabulary to make any staffing resources available to enforce a No Fishing byelaw at The Leam. She informed members that PCSO Sue Clarke had been sent photographs showing illegal and inconsiderate parking and speeding within the parish, which had proved very useful.

Mrs Gambell reminded members that PCSO Sue Clarke is keen to work with the Elm C of E Primary School in terms of pupils producing "safe parking" posters, which would be used as part of a campaign to educate the parents not to park inappropriately or inconsiderately in the vicinity of the school. PCSO Clarke is hopeful that it

proves possible to achieve this before the end of the summer term; if not possible, it would take place early in the autumn term.

Some members commented that illegal and inconsiderate parking and speeding within the parish remains an issue and, consequently, appropriate Police attention continues to be needed in that regard.

Members decided that the information reported by Mrs Gambell be noted.

10/15 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 two-storey 4-bed dwelling with detached garage on land south of Gaywood, Fridaybridge Road, Elm – F/YR15/0305/RM (applicant: Mr J McMullen).

That the application be supported.

- (2) Installation of water control infrastructure and the formation of 1.6 km internal ditches on land north of Poplar Tree Farm, Wisbech Road, Coates – F/YR15/0321/F (applicant: March Farmers (Washlands) Ltd).

That the application be supported.

- (3) Erection of a single-storey 4-bed dwelling, involving the demolition of existing dwelling, at Homestead, Coldham bank, Coldham – F/YR15/0365/F (applicant: Mr David Deptford).

That the application be supported.

Further to minute 94/14, the Clerk informed members of the lodging of an appeal to the Planning Inspectorate in relation to Fenland District Council's (FDC) refusal of planning permission for the erection of a dwelling on land east of 176 – 180 Fridaybridge Road, Elm (application F/YR14/0862/O refers) and of the opportunity for the Parish Council to make further comments (in addition to those submitted to FDC previously), if it wished to do so, to the Planning Inspectorate.

The Clerk reminded members that the Parish Council's consultation response to Fenland District Council, at minute 94/14, had been "Object, on the basis that (1) this proposal constitutes backland development, which the Parish Council considers to be an inappropriate form of development in this part of Elm; (2) this development would set a precedent for other proposals of a similar nature, which would lead to an inappropriate change in the character of the area".

Members decided that no representation be made to the Planning Inspectorate

11/15 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 District Councillors who represents the parish of Elm, informed members that, as a result of the local elections on 7 May 2015, a new Fenland District Council is now in place; the process of allocating councillors to committees etc is underway and the appointments would be made at the first meeting of the full Council on 21 May 2015.

Councillor Sutton referred to the fact that WREN had allocated recently a sum of £75,000 for the provision of play equipment at Chatteris and he expressed the hope that this decision by WREN would prove to be positive indicator in relation to the bid to WREN for the funding of play equipment for Fridaybridge (minute 8/15 (1) refers).

Members decided that the situation be noted.

12/15 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
Co-operative Funerals	Plot purchase and interment fee	£1,650.00
H M Revenue and Customs	VAT refund 2014/15	£4,234.48
M J Coates	Cremated remains tablet	£110.00
Kent Memorials	Cemetery memorial	£148.00
Fenland District Council	Precept and Council Tax Support Grant – first half for 2015/16	£19,156.00
Total Income		£25,822.08

Expenditure

Glazewing	Wheelie bin emptying – Elm Cemetery (includes VAT of £18.60)	£111.60
R J Warren Ltd	Grounds maintenance contract (includes VAT of £254.55)	£1,527.28
T Jordan	Salary (less income tax of £161.35 and NI of £16.17), Broadband and other expenses	£731.88
Magpas	Financial assistance	£200.00
Wisbech and District Stroke Club	Financial assistance	£350.00
Mr S Cowell	Internal Audit of 2014/15 accounts	£65.00
Came and Company	Insurance for 2015/16	£2,546.77
Anglia Water	Water for cemetery	£47.00
Society of Local Council Clerks	Membership 2015/16 (cost shared with Manea PC)	£83 50
Total Expenditure		£5,663.03

In addition, the Clerk reported on the levels of funding held within the Parish Council's bank and savings accounts as at 30 April 2015 (in the total sum of £151,612.34), together with the figure as at 30 April 2014

The Clerk reported on the Annual Audit of Accounts 2014/15 Annual Return, informing members that the document had been examined and approved, without recommendations as to action in relation to the Parish Council's governance processes, by the Council's Internal Auditor. The Clerk read to members the Internal Auditor's report on his audit of the Parish Council's accounts 2014/15.

Members decided

- (1) that the income of £25,822.08 be noted and that the expenditure of £5,663.03 be authorised;
- (2) that the levels of funding held within the Parish Council's bank and savings accounts as at 30 April 2015 and the position as at 30 April 2014 be noted;
- (3) to note that, after allowing for the Parish Council's ear-marked reserves (totalling £79,775.00) at 30 April 2015), the actual balance available to the Parish Council at 30 April 2015 was £79,838.84; making further allowance for a general contingency (at the level of 150% of the 2015/16 Precept, which equates to £51,972.00) reduces the actual balance available to the Parish Council at 30 March 2015 to approximately £27,867.00;
- (4) that the Audited Accounts for 2014/15 be approved and submitted to the External Auditor.

13/15 Correspondence

(1) Financial assistance to Elm Parochial Church Council for works to the bells at All Saints Church, Elm

Further to minute 95/14, the Clerk read to members an e-mail from Mr R Wilkes, the Treasurer of the Elm Parochial Church Council (PCC) on the progress in undertaking restoration works to the bells at All Saints Church, Elm.

The Treasurer of the Elm PCC states that the Diocese has given the PCC consent to re-instate the hatchway between the bells chamber and the ringing chamber; this work has now undertaken (at a net cost of £1,700), which has made it possible to remove the bells from the tower for restoration.

Mr Wilkes comments that the Parish Council's agreement to fund number 2 bell has set the PCC on the road to achieving much more. The PCC has now raised almost £15,000, which gets the PCC close to meeting the cost of restoring three of the six bells. In addition, a public appeal is about to be launched and approaches are to be made by the PCC to a few other major grant-giving bodies.

The Elm PCC is aiming to obtain the Diocesan faculty (equivalent to planning and listed building consent) in August/September of this year. Mr Wilkes comments that Elm PCC had always said that it would restore the bells one-by-one as funding permits; as things stand, the number 2 bell would certainly be restored.

Members decided that the information provided by the Treasurer of the Elm Parochial Church Council be noted.

(2) Wisbech and District Stroke Club – financial assistance

Further to minute 170/14 (1), the Clerk read to members a letter from the Secretary of the Wisbech and District Stroke Club expressing the club's appreciation of the financial assistance provided by Elm Parish Council towards its annual operating costs.

In his letter, the Secretary of the Wisbech and District Stroke Club comments that he had provided information to the Fenland Citizen newspaper, with the hope that this would achieve a positive news story for the Parish Council.

Members decided that the content of the letter be noted.

14/15 Date of next meeting

Members were reminded that the next meeting of the Parish Council had been scheduled for 16 June 2015, commencing at 7.00 pm, at the Parish Council office, Begdale Road, Elm.

Meeting finished at 8.25 pm

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

Date:.....