

ELM PARISH COUNCIL

MINUTES OF MEETING

21 MAY 2013 – 7.35 pm.

Present: Councillor Brand, Chairman; Councillors Cotterell, Mrs Cotterell, Mrs Hopkin, Mrs Johnson, Mrs Lankfer, Milham, Pinnock, Stokes, Miss Webb and Webb.

In attendance: District Councillor Sutton.

Apologies: Councillor Softley.

The minutes of the meeting of 16 April 2013 were confirmed and signed.

1/13 Open Forum

(1) Request for the provision of play equipment at Elm

A resident of Peartree Way, Elm suggested to members that there is a need for the provision of play equipment in that village and enquired of the Parish Council as to any plans that it has in terms of such provision.

The Clerk explained that the Parish Council wishes to provide an equipped play area in Elm and has, consequently, allocated a financial sum for the purchase of such equipment; the District Council is keen to enhance the existing play area at Grove Gardens; therefore, a joint approach has emerged (minute 6/13 (1) refers). There would be prior consultation with residents of Grove Gardens before any scheme were implemented and, in the light of representations made to the Parish Council at minute 67/12 (1), it is anticipated that a number of residents of that estate would raise objections to whatever proposal emerges.

The Clerk made the point that nothing could happen regarding enhancement of the existing play area at Grove gardens until such time as the land is adopted by Fenland District Council (FDC) and that FDC has been working with the developers of the site for the last 4 years or so to achieve an adoptable standard of open space. Until adopted by the District Council, the land remains in the ownership of the developers. The joint approach between Fenland District Council and Elm Parish Council was agreed in February 2012 (minute 119/11 (2) refers) and, as can be seen from minute 6/13 (1), this initiative is no further advanced.

Members decided that the comments of the resident be noted and taken into account when considering this matter at minute 10/13.

(2) Elm Parochial Church Council – request for financial support

The parishioner who had challenged the Parish Council's power to make a decision at minute 153/12 (1) on the request from the Elm Parochial Church Council (PCC) for financial assistance (minute 6/13 (3) refers) requested that the Parish Council asks the following questions of the PCC in relation to its request for financial assistance from Elm Parish Council:

- Following the two months refurbishment in 2012 to add a meeting room with kitchen and toilets, how much did this work cost?

- How long have the bells been unringable?
- What fundraising has been done in respect of these repairs?
- Ely Diocesan Association of Church Bell Ringers has bell restoration and loan funding; has the association been asked for support?

Members decided to consider this parishioner's request, when making a decision on the PCC's request for financial assistance (minute 6/13 (3) refers).

(3) Elm village sign

A resident of the parish enquired as to the progress in re-instating the Elm village sign.

The resident was informed that this matter is an item for discussion on the agenda of this meeting (minute 12/13 refers).

2/13 Appointment of Chairman

Councillor Brand was appointed as Chairman of the Parish Council for the municipal year 2013/14 and made his Declaration of Acceptance of Office in relation to that appointment.

3/13 Appointment of Vice-Chairman

Councillor Stokes was appointed as Vice-Chairman of the Parish Council for the municipal year 2013/14 and made his Declaration of Acceptance of Office in relation to that appointment.

4/13 Chairman's Allowance for 2013/14

Members considered the setting of a Chairman's Allowance for the municipal year 2013/14.

Members decided that the sum of £300.00 be allocated to meet the expenses of the Chairman of the Council during the municipal year 2013/14.

5/13 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.

6/13 Progress on actions from minutes of last meeting

(1) Facilities for young people in the parish (minute 148/12 (2))

The Clerk reported that he had been unable to obtain information from Fenland District Council as to whether the current situation had changed from that reported at minute 148/12 (2).

Members decided that the information reported by the Clerk be noted and that he would continue to seek updates from Fenland District Council for reporting to each meeting of the Parish Council.

(2) Elm Cemetery – operational issues (minute 148/12 (3))

The Clerk reported that he had sent further letter to this family informing them that, unless there is compliance, within fourteen days from their receipt of that letter, with the Parish Council's previous instructions, the decision of the Parish Council at minute 120/12 (3) - to allow, as a one-off exception to the requirements of the Elm Cemetery Regulations, the installation on grave number North B345 of a memorial with a maximum headstone height of 5 feet (instead of 3 feet, 6 inches) - would be rescinded.

The Clerk reported that he had received no contact from this family as a result of his letter, nor had he received any application for a memorial. He added that, it could be seen from his inspection of this burial plot earlier today, the family had taken action to remove some of the "surplus" items from this burial plot; however, the area covered with floral tributes and other articles still exceeds the length of the area purchased.

In addition, the Clerk had sought to enlist the support of the Traveller Liaison Officer at Fenland District Council in achieving communication with this family; the officer informed the Clerk that the family had re-located to West Norfolk (address unknown). In the absence of a current address for the family, the Clerk had sent copy of his letter to the company which he believes had been engaged by the family to make application for the installation of a memorial on this burial plot.

The Clerk informed members that action had been taken to increase to weekly the frequency of bin emptying at Elm Cemetery.

Further to minute 81/12 (5), the grass seeding works to the new area of the cemetery have now been undertaken. Various pieces of debris were found by the contractor within the soil and were removed prior to the seeding works taking place; these debris have been placed temporarily beside the wheeled bin.

Members decided that

- (1) the information reported by the Clerk be noted;
- (2) given the continued failure of the family to comply with the Parish Council's instructions relating to restricting the area to be used for the display of floral tributes and other articles on plot North B345, the decision to allow a memorial with a maximum headstone height of 5 feet (instead of 3 feet, 6 inches) be now rescinded;
- (3) the contractor which had undertaken the grass seeding works be engaged to remove from the cemetery the debris it had found within the soil.

(3) Elm Parochial Church Council – request for financial support (minute 153/12 (1))

Members considered this matter further, in the light of a challenge by a resident of the parish in respect of the process followed in the decision-making at minute 153/12 (1).

The Clerk reminded members – he had informed them in advance of this meeting of the situation – that subsequent to the decision reached at minute 153/12 (1), a parishioner had challenged the Parish Council's power to make a decision on this matter, for the reason that the agenda for the meeting included no reference to this specific item of business and, consequently, it should not have been discussed.

To avoid the potential for legal challenge by the parishioner, it had been agreed between the Chairman of the Parish Council and the Clerk that the decision at minute 153/12 (1) would not be implemented and, instead, the matter would be placed on the agenda – so that the necessary public notice could be given - for this

meeting of the Parish Council. The course of action had been endorsed by the Chief Solicitor at Fenland District Council. The Elm Parochial Church Council (PCC) had been informed of the situation.

Members decided that

- (1) the Parish Council supports, in principle, the PCC's request for financial support;
- (2) the PCC be requested to expand upon the statement made in its e-mail of 15 April, where it was said that "we have investigated other options for funding but these have been unsuccessful", providing details of the organisations to which funding applications had been made and the actual responses given;
- (3) because the Parish Council's approach to supporting this project would be on the basis of paying the invoice for the restoration works (so that the VAT could be re-claimed), the PCC be requested to provide a total of three quotations for the works; the reason being that if the Parish Council were to procure goods or services of this value, it is required by its financial regulations to obtain three quotations;
- (4) a representative of the PCC be invited to the next meeting of the Parish Council to report the information requested and to provide answers to any questions that members may have;
- (5) in recognising the urgency of this situation, they would be prepared to hold an additional meeting, where this funding request would be the sole item of business, at a date earlier than 18 June if that were feasible for the PCC representative;
- (6) the four questions asked by the parishioner at minute 1/13 (2) be put to the PCC.

7/13 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 report of theft of diesel from an irrigation pump
- Fridaybridge – one report of persons acting suspiciously; one report of vehicle nuisance and one of rowdy nuisance; theft of a number of cast iron drain covers; two reports of burglary (one from an outbuilding and another at a business premises); one incident of violence involving six males
- Elm – three reports of persons acting suspiciously; theft of a number of cast iron drain covers; one shed burglary; one incident of vehicle nuisance; one report of rowdy nuisance
- Rings End – no incidents reported.

The PCSO's report included the results of Speed Watch activity undertaken in Fridaybridge on four occasions between 17 April and 16 May 2013 and in Elm on 9 and 16 May 2013. Of the total of 216 vehicles observed during the exercises in Fridaybridge, 28 were being driven in excess of the speed limit; the comparable figures for the Elm exercises were 116 and 25 respectively.

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

8/13 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 3 dwellings (renewal of planning permission F/YR10/0205/O) on land north-east of Florence House, Back Road, Fridaybridge - F/YR13/0251/EXTIME (applicant: Mrs D Stevenson).

That the application be supported.

- (2) Erection of a part first-floor, part two-storey side extension to existing dwelling at Lea Cottage, Molls Drove, Elm – F/YR13/0288/F (applicant: Mrs S Hartley).

That the application be supported.

- (3) Erection of a 23.0 m high (hub height) wind turbine on land south-east of Laddus House, Laddus Drove, Fridaybridge – F/YR13/0290/F (applicant: Mr J Lawrence).

That the application be supported.

(Councillor Pinnock requested that his dissent from this decision be recorded)

9/13 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 (since 2 May 2013)) no report was received by the Parish Council in relation to current County Council issues.

Councillors Cotterell and Sutton, the two District Councillors who represent the parish of Elm, both informed the Parish Council that they had nothing specific to report at this time.

Members decided that the situation be noted.

10/13 Provision of play equipment at Elm

District Councillor Sutton informed the Parish Council of a request that he had received from residents of Peartree Way, Elm for the provision of play equipment in the village. He had suggested to these residents that they attend this meeting to inform the Parish Council of their feelings in this matter.

Members considered the comments made by the local resident at minute 1/13 (1) in relation to the need for the provision of play equipment at Elm.

Members decided that the resident who had addressed the Parish Council should seek to enlist the support of other like-minded members of the community in undertaking consultation within the village to both identify what villagers feel to be an ideal site for the provision of play equipment at Elm and the type of equipment that children in the village would like to use.

11/13 Rings End – proposed demolition of railway arches

Councillor Pinnock referred to a recent proposal from a developer within the district to demolish the railway arches at Rings End (to make the site of the arches and adjoining land available for residential development). He expressed the opinion that it would be very disappointing if these arches, which are both an important and rare feature in Fenland, were demolished. In addition, he expressed the view that there ought to be a requirement for the Local Planning Authority to undertake consultation with local residents and the Parish Council on such a proposal.

Councillor Cotterell reported to members on a public meeting, attended by just under 40 people, held in Rings End on 9 May 2013; it was organised by a local resident with the aim of establishing the views of other residents

regarding this matter. He explained how he and certain other councillors had been invited to the meeting. The feeling of the meeting, according to Councillor Cotterell, was not really concern about loss of the arches but more about the possibility of the cleared site being granted planning permission for residential development.

Councillor Cotterell added that there is no requirement upon the Local Planning Authority to undertake any consultation on this type of application. If, however, consent for demolition were given and then a planning application for development of the cleared site were submitted, that application would be subject to the normal planning application consultation process. However, the current situation is that Fenland District Council, as the Local Planning Authority, had, within recent days, refused to grant the application on the basis that the applicant had failed to submit sufficient information in relation to matters such as the method of demolition, addressing issues of land contamination, biodiversity issues etc.

Members decided that the comments made by Councillors Cotterell and Pinnock and the current situation regarding this proposal be noted.

12/13 Elm village sign

Further to minute 100/12, members considered the engagement of a contractor to undertake the works necessary to reinstate the Elm village sign.

Councillor Pinnock offered to invite a particular local contractor to provide a quotation for undertaking the necessary works to the sign.

Members decided that the offer of Councillor Pinnock to invite a particular local contractor to provide a quotation for undertaking the necessary works to the sign be accepted and that, subject to the quotation for the works being acceptable, the Clerk would authorise engagement of this contractor

13/13 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	Interment fee	£687.50
P Barnes	Interment fee	£275.00
Fenland District Council	Parish Precept – first 50%	£15,000.00
Richard King Memorials	Additional memorial inscription	£66.00
Total Income		£16,552.10

Expenditure

Glazewing	Wheelie bin emptying – Elm Cemetery	£40.30
Cambridgeshire County Council	Lease of Fridaybridge playing field	£375.00
Came and Company	Insurance 2013/14	£2,440.75
T Jordan	Salary (less income tax of £175.25),	£860.63

	Broadband and other expenses	
Fenland District Council	Replacement of street lamp FPC8 (Begdale Road, Elm)	£1,247.58
Fenland District Council	Replacement of street lamp lantern FPC2 (Limes Avenue, Elm)	£530.74
S Cowell	Internal Audit fee	£65.00
Carter Cabin Hire Limited	Hire of disabled toilet for Coldham Fun Day	£144.00
R J Warren Ltd	Grounds maintenance contract	£1,411.96
Total Expenditure		£7,115.96

In addition, the Clerk reported on the levels of funding held within the Parish Council's bank and savings accounts as at 30 April 2013 (in the total sum of £136,911.66), together with the month-end figures for each of the preceding six months and as at 30 April 2012.

The Clerk reported on the Annual Audit of Accounts 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 2012/13.

Members decided that

- (1) the income of £16,552.10 be noted and that the expenditure of £7,115.96 be authorised;
- (2) the levels of funding held within the Parish Council's bank and savings accounts as at 30 April 2013, together with the month-end figures for each of the preceding six months and as at 30 April 2012, be noted;
- (3) the Audited Accounts for 2012/13 be approved and submitted to the External Auditor.

14/13 Supporting the community

Further to minute 154/12, members considered whether to adopt a more structured approach, rather than operate on the basis of responding to ad-hoc requests for support/assistance.

To assist members' deliberations, the Clerk had circulated, in advance of the meeting, a report detailing the financial support provided to activities and groups, under the power provided by Section 137 of the Local Government Act 1972, in the financial years 2011/12 and 2012/13 and in 2013/14 to date.

Councillor Pinnock proposed that a system be introduced whereby the Parish Council would require all organisations seeking financial support from the Parish Council to submit an application using a prescribed form and that all applications would be considered at one meeting of the council (say, applications to be submitted by the end of October and considered at the December meeting of the Parish Council). Councillor Pinnock informed members that he had produced a draft application form and procedure which could be used for this process.

Members decided that

- (1) the draft documentation produced by Councillor Pinnock be circulated to members of the Parish Council between this meeting and the next;
- (2) members would forward their comments on the draft documents to Councillor Pinnock, who would take these comments into account in producing final draft versions;

(3) this matter be considered further at the next meeting.

15/13 Correspondence

(1) The Leam, Fridaybridge – fishing activities.

The Clerk reported an e-mail from a resident of The Leam, complaining that some local people are ignoring the No Fishing rule relating to The Leam. The resident has asked that, in an effort to address this unauthorised activity, the Parish Council considers

- erecting a new sign which states clearly "No Fishing - by order of the Parish Council" or words to that effect. The resident acknowledges that it says No Fishing on the other signs at The Leam but feels that because these signs also say a number of other things, the message is diluted. The resident feels that a new specific sign (or two) may help.
- raising this matter again with the PCSOs for the area and asking that they look out for persons fishing at The Leam and, when they witness such activity, they speak with those persons. The resident comments that it did help last year when the Police took a more pro-active role in speaking with people seen fishing at The Leam.

Members are of the opinion that the current signage makes it clear that fishing at The Leam is not permitted and do not wish to cause detriment to the attractiveness of The Leam by erecting further signage.

The Parish Council is pleased that the Police took a positive approach to dealing with this issue last year and, based upon its experience of the co-operation between the local community and the PCSO who covers the parish of Elm, members are confident that this PCSO, Dave Russ, will take appropriate action in relation to reports from residents of The Leam in respect of fishing activities which take place.

Members decided that

(1) no additional No Fishing signs be erected at The Leam;

(2) PCSO Dave Russ be asked to be vigilant to fishing activity taking place at The Leam and to give words of advice when he witnesses it taking place;

(3) The resident who raised this issue be informed of the Parish Council's decision.

(2) Cambridgeshire Shrievally Trust – request for financial assistance.

The Clerk reported a request from the Cambridgeshire Shrievally Trust for financial assistance towards the operating costs of the Cambridgeshire Bobby Scheme (which undertakes works to improve the security of the homes of elderly and vulnerable people across the County).

Members decided, in the absence of any information within the letter of request as to the benefit received by residents of Elm parish, that it was unable to justify the use of its funds to provide financial assistance towards operation of the Bobby Scheme; if, however, the Cambridgeshire Shrievally Trust is able to provide such information, the Parish Council would be prepared to consider the request again.

(3) Wisbech and District stroke Club.

Further to minute 134/12 (1), Councillor Pinnock reported that the Wisbech and District stroke Club had decided not to spend the funding provided by Elm Parish Council on newspaper advertising but, in an effort to achieve best value for money, to undertake targeted leaflet drops (to certain groups, clubs etc).

Members decided that the information reported by Councillor Pinnock be noted.

(4) 1st Elm (All Saints) Brownies – financial assistance.

Further to minute 134/12 (6), the Clerk circulated a Thank You card received from the 1st Elm (All Saints) Brownies unit in relation to the financial assistance provided by the Parish Council for the purchase of a new flag and towards the unit’s annual operating.

Members decided that content of the Thank You card be noted.

16/13 Date of next meeting

Members were reminded that the next meeting of the Parish Council had been scheduled for 18 June 2013, commencing at 7.00 pm, at the Parish Council office, Begdale Road, Elm.

Meeting finished at 8.45 pm

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

Date:.....