

# ELM PARISH COUNCIL

## MINUTES OF MEETING

13 DECEMBER 2016 – 7.00 pm.

**Present:** Councillor Brand, Chairman; Councillors Mrs Cotterell, Mrs Davis, Miss Ferguson, Hopkin, Milham, Pinnock and Stokes.

**Apologies:** Councillors Mrs Dalliday, Mrs Hopkin and Patrick plus District Councillor Tanfield.

**In attendance:** District Councillor Sutton (between 7.25 pm and 7.50 pm).

The minutes of the meeting of 15 November 2016 were confirmed and signed.

### 91/16 Members' Code of Conduct

The Clerk reminded members of the need for them to submit to the Monitoring Officer at Fenland District Council, via the Parish Clerk, any changes to the content of their Register of Member Interests forms.

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

### 92/16 Progress on actions from minutes of last meeting

#### (1) Play equipment provision in Fridaybridge (minute 81/16 (1))

The Clerk informed members that he had now been able to produce in electronic format all of the supporting documentation for the application to WREN - for funding towards the cost of providing an equipped play area scheme at Fridaybridge – and that he would be completing and submitting the on-line application prior to the next meeting of Elm Parish Council. He mentioned that he had alerted the relevant officer at WREN to this application and had ascertained from that officer that the deadline date for the next round of applications is 22 February 2017 (for decisions to be made on 17 May 2017).

Members decided that the situation be noted.

#### (2) Speeding across the parish (minute 81/16 (2))

Councillor Pinnock updated members on the operation of the Speed Watch scheme across the parish. He reported that: 15,746 vehicles had been "clicked"; 1,257 vehicles (7.9% of the total) had been speeding; 86 Speed Watch sessions (covering a period of 116 hours) had taken place. He expressed his appreciation of the activities of the Speed Watch volunteers, who continue to brave the elements to make the parish safer.

Further to minute 81/16 (2), Councillor Pinnock mentioned that he had met with Police Inspector Will Davis on 17 November 2016 to discuss Speed Watch procedures and to ascertain why the Constabulary would not support a reduction in the speed limit between Elm and Fridaybridge. Councillor Pinnock informed members that Inspector Davis had agreed with the points that he had made at that meeting and the Inspector had informed Councillor Pinnock that the Constabulary was in the process of revising the Speed Watch guidance and he anticipated that the revised document would address the points which had been raised by Councillor Pinnock at their meeting.

Councillor Pinnock mentioned that he had subsequently received from the Constabulary a copy of the draft version of the revised Speed Watch guidance document and is of the opinion that the revisions not only fail to address his concerns but make the situation worse. He commented that he would be making the Constabulary aware of his views regarding the draft version of the revised Speed Watch guidance document.

Members decided that the current situation be noted.

**(3) Local Highway Improvements scheme 2016/17 (minute 81/16 (3))**

Councillor Pinnock informed members that they had spoken, last week, with Mr M Pickering, the Project Manager within the County Council's Highways Service, to ascertain the current position regarding the scheme which had been developed. Mr Pickering had stated that the scheme plans/drawings had been produced and that the Local Highway Authority is about to embark upon the necessary consultation exercise.

Members decided that the current situation be noted.

**(4) Local Highway Improvements 2017/18 (minute 86/16)**

Councillor Pinnock informed members that, further to minute 86/16, he had met, on 8 December 2016, with Mr M Pickering, the Project Manager within the County Council's Highways Service, the Headteacher of the Fridaybridge Primary School and PCSO Sue Clarke to discuss the feasibility of developing and installing a scheme of speed reduction measures in the vicinity of Fridaybridge Primary School.

As a result of that meeting a draft scheme had emerged; the scheme would consist of three sets of advisory 20 mph signage to be installed on Fridaybridge Road, March Road and Well End to warn motorists approaching the area near Maltmas Drove of the child hazards at the school opening and closing times (at an estimated cost of £4,500).

Councillor Pinnock reminded members that such a scheme would not achieve funding under the Local Highway Improvements initiative and, therefore, the costs would need to be met by a third party; he proposed that Elm Parish Council meets the cost of the scheme, through using part of the £16,000 ear-marked reserve for highway safety works. In addition, Councillor Pinnock suggested, as an additional means of seeking to address the inconsiderate and unlawful parking of vehicles in the vicinity of Fridaybridge Primary School, the installation of double yellow lines, in place of the existing single yellow lines (and extended if felt appropriate by the Local Highway Authority) on Maltmas Drove; the cost of this revision is estimated at £1,000; this too could be funded through use of the £16,000 ear-marked reserve for highway safety works.

With regard to highway safety in general, the Chairman mentioned a further fatality, as a result of a road traffic accident on the B1101 and expressed the opinion that action needs to be taken to improve the safety of the rural parts of this road; removal of some of the bends in the road would be desirable in that regard. Councillor Pinnock undertook to discuss with Mr Pickering the potential for achieving improvements to road safety on the B1101.

Members decided, unanimously, that

- (1) the information reported by Councillor Pinnock be noted;
- (2) Councillor Pinnock's proposals for highway safety improvements (as set out above) at Fridaybridge, at a total estimated cost of £5,500 be approved;
- (3) the cost of these works be met from the council's ear-marked reserve for highway safety works.

### 93/16 Police matters

Although no member of the Wisbech and District Neighbourhood Policing Team was present at the meeting, PCSO Sue Clarke had provided to the Clerk a brief report on recent incidents of crime and disorder which had been reported to the Constabulary since the last meeting of the Parish Council, as follows:

- Elm - 3 incidents of theft or attempted theft of trailers, at various locations, over the period of 24 to 28 November 2016
- Fridaybridge – theft of heating oil from a property at Laddus Drove and theft of a vehicle (containing horse-riding equipment) from Maltmas Drove.

In her report, PCSO Clarke mentions the action of an Elm resident who noticed that a bicycle with a small trailer had been deposited behind her property; thinking that the situation seemed unusual, she contacted the Constabulary and, consequently, became aware that it had been reported as stolen. The resident retained the bicycle until it could be collected by the owner.

PCSO Clarke continues to visit the two primary schools in the parish, to both give talks to pupils on personal safety and the role of a PCSO and to tackle inconsiderate and unlawful parking in the vicinity of the schools. She comments in her report that in the New Year she would be working with pupils at Fridaybridge School to design a "Parking Ticket" and for the pupils to speak with the owners of the "offending" vehicles with regard to their behaviour; the PCSO comments that this approach had worked successfully at Leverington School.

Through her report, PCSO Clarke informed the council of a meeting at Fridaybridge School – attended by the Headteacher, Mr Pickering of the County Council's Highways Service, Councillor Pinnock and her – to discuss traffic and parking problems in the village; she expresses the opinion that the meeting had been successful (see minute 92/16 (4)).

PCSO Clarke mentions that she continues to support the work of the Speed Watch volunteers, to assist in addressing the speeding issues across the parish. She comments that she had attended a road traffic collision at Coldham on 2 December 2016.

In her report, PCSO Clarke mentions that in furtherance of seeking to identify contact points within the parish, for the purpose of undertaking public engagement, particularly as the New Horizons outreach vehicle is no longer available, she had met with Councillor Mrs Davis to discuss issues and locations for the villages to hold events. As a result PCSO Clarke would be attending the Bowls Club meeting in Fridaybridge on 17 February 2017; "Have a Cuppa with a Copper" events are being arranged and details of dates, times and venues would be published soon.

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

### 94/16 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) Variation of condition 4 of planning permission F/YR08/1047/F (Erection of a building for the storage, repair, hire and sale of agricultural machinery, implements and parts with associated offices, involving demolition of existing workshops) relating to unrestricted use of Class B8 only at Poplar Farm, Wisbech Road, Coates – F/YR16/0653/F (applicant: Mr S Allen).

*That the application be supported.*

- (2) Erection of a two-storey side extension and single-storey rear extension, to include 2 bay windows to existing dwelling, at 1 Overstone Road, Coldham – F/YR16/0889/F (applicants: Mr and Mrs D Brand) = revised proposal to amend design of proposed extensions.

*That the application be supported.*

- (3) Erection of a two-storey 4-bed dwelling with attached double garage and formation of new access – F/YR16/1003/F (applicants: Mr Scott Welcher and Miss Hannah Strickle).

*Object, on that basis that approval of the proposal would be in conflict with Policy LP12 of the Fenland Local Plan (adopted in May 2014).*

- (4) Variation of condition 3 relating to planning permission F/YR16/0643/F (Change of use of workshop to a bowling alley, involving changes to the door and window arrangements to front of existing building (part retrospective)) to extend the opening times at Workshop, Kirkhams Lane, Elm – F/YR16/1009/F (applicant: Mr R Fiske).

*That the application be supported.*

- (5) Erection of a porch to front and external insulation and render of existing walls to front, rear and side of existing dwelling at 2 Ingle Road, Elm – F/YR16/1018/F (applicant: Mr David Brundle).

*That the application be supported.*

- (6) Erection of a two-storey 2-bed dwelling and 1.2 metres high timber fence and gates and formation of a new vehicular access, involving demolition of conservatory to existing dwelling, on land south of 49 Fridaybridge Road, Elm – F/YR16/1027/F (applicant: Mrs S Thomas).

*Object, on that basis that approval of the proposal would be in conflict with Policy LP12 of the Fenland Local Plan (adopted in May 2014).*

- (7) Erection of single-storey side and rear extension and 1.1 (max.) metres high brick wall to front boundary of existing dwelling at Aberfield, Well End, Fridaybridge – F/YR16/1051/F (applicants: Mr and Mrs A Stephen).

*That the application be supported.*

In addition, the Clerk informed members of the submission of an appeal against Fenland District Council's refusal to grant planning permission for the erection of 2 dwellings, involving the demolition of northern section of existing building, on land north of Friday House Residential Home, March Road, Fridaybridge (Outline application with all matters reserved) (application reference F/YR16/0724/O) and of the opportunity for Elm Parish Council to submit a representation to the Planning Inspectorate (in addition to the comments submitted by the Parish Council to the Local Planning Authority previously) in relation to this matter.

Members decided that the information reported by the Clerk be noted and that no representation be submitted to the Planning Inspectorate in relation to this appeal.

#### **95/16 Fenland Local Plan Policy LP12: new dwellings threshold for Elm now exceeded**

Councillor Pinnock stated that he wishes to alert the council to the fact that approval recently of planning applications for the residential development of sites at Cedar Way, Gosmoor Lane and Henry Warby Avenue, Elm

had resulted in the threshold, set out in Policy LP12 of the Fenland Local Plan (adopted in May 2014), for new dwellings in Elm (for the period April 2011 to April 2031) now being exceeded by 103 dwellings.

Members decided that the situation be noted and that they would be mindful of that fact when considering, as consultee, future applications for the erection of dwellings at Elm.

### **96/16 Proposed development at Gosmoor Lane, Elm**

Councillor Pinnock expressed his thanks to Councillor Stokes for addressing the meeting of Fenland District Council's Planning Committee on 7 December 2016 to explain Elm Parish Council's objection to planning application F/YR16/0545/O. Councillor Pinnock expressed the opinion that the level of public objection to the proposal and the fact that approval of the planning application would be in contravention of Fenland Local Plan Policy LP12 seemed to mean very little to the members of Fenland District Council's Planning Committee. In addition, he expressed his surprise that the Planning Officers at Fenland District Council had not supported the planning application for residential development at Henry Warby Avenue but had recommended the grant of planning permission for the site at Gosmoor Lane (which is for a greater number of dwellings and further from the "heart" of the village).

In response to the comments of Councillor Pinnock, Councillor Stokes expressed the opinion that Elm Parish Council had "shot itself in the foot" by (at minute 35/16) raising objection to the planning application for residential development (application F/YR16/0545/O refers) but supporting the associated application for the provision of a car park (application F/YR16/0543/F refers), a proposal which is inextricably linked to the other planning application.

Members decided that the situation be noted.

### **97/16 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

- the necessary signing of the Section 106 Planning Obligation in relation to Grove Gardens (which needs to be signed by appropriate representatives of Cambridgeshire County Council, Fenland District Council and the land owner) is imminent
- he had achieved the removal of flytipping from Graysmoor Drove and from Station Road, Coldham
- with regard to comments made at minute 96/16, there is not an automatic presumption that planning applications for new dwellings in Elm would be refused in the context of Fenland Local Plan LP12; if an applicant undertakes the required public consultation and the results of the exercise demonstrate community support for the proposal, it is likely that (unless the proposal were considered by the Local Planning Authority to be unacceptable for other planning reasons) planning permission would be granted. He commented that this is reason why planning officers had recommended refusal of the planning application for Henry Warby Avenue but recommended the grant of planning permission for the site at Gosmoor Lane, Elm.

Members decided that the situation be noted.

### **98/16 Open spaces (including the cemetery) under the Parish Council's control**

Members considered whether there are any issues relating to the open spaces under the Parish Council's control which require discussion by the Parish Council.

Further to minute 85/16, Councillor Pinnock informed members that he is continuing to liaise with the council's website host, Fenweb Limited, with regard to publication of the digital version of the council's burial registers, and he anticipates that the information would soon be published, in an appropriate format, on the Elm Parish Council website.

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

### **99/16 Cemetery Cottage, Elm**

Further to minute 55/16 (4), Councillor Pinnock reported on the Christmas lights switch-on event which had taken place on 2 December 2016. He expressed his appreciation of the significant effort which had been made by the tenant of the cottage and his partner to not only provide a tremendous display of Christmas lights in the village but also holding a switch-on event which had attracted a large number of members of the public. He commented that he had witnessed, through this event, the community coming together; something which he had not seen in Elm before.

The tenant of Cemetery Cottage had been allowed the use of the former Cemetery Chapel to "house" some of the activities associated with the switch-on event. The lighting display is being successful in raising funds for the two charities.

Councillor Pinnock mentioned that he had sent a letter of thanks to the tenant of the cottage and informed members of his understanding that the tenant and his partner intend to make this an annual event.

Members decided that the situation be noted and that Elm Parish Council would place on record its appreciation of the efforts of the tenant and his partner in this matter.

### **100/16 Former Cemetery Chapel, Elm**

Councillor Pinnock informed members that he had intended to propose to the council that it considers undertaking appropriate works to this building to make it suitable for an alternative use (which could generate a rental income to the council). However, he is now of the opinion, given the valuable community use it provided as part of the Christmas lights switch-on event (minute 99/16 above refers), that the council should consider making this building available for wider community use. He suggested that minor repair works be undertaken to the building, for which financial provision could be made in the council's budget for 2017/18.

Members decided that the comments of Councillor Pinnock be noted and that they would give thought, between this meeting and the next, to possible community activities which could be supported by use of the former Cemetery Chapel.

### **101/16 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
M J Coates	2 cemetery memorials	£444.00
Richard King Memorials	Cremated remains tablet	£165.00

Co-operative Funerals	Cremated remains plot purchase and interment fee	£389.00
Peter Barnes Funerals	Cremated remains plot purchase and interment fee	£389.00
<b>Total Income</b>		<b>£1,910.60</b>

### Expenditure

R J Warren Ltd	Grounds maintenance contract (includes VAT of £278.05)	£1,668.29
T Jordan	Salary (less income tax of £184.10 and NI of £29.82) and reimbursement of expenses	£909.13
H M Revenue and Customs	Clerk's Income tax and NI (September, October and November 2016)	£689.34
Richard Kierman	Cleaning of notice boards: September 2016	£45.00
Richard Kierman	Cleaning of notice boards: December 2016	£45.00
Anglian Water	Water for cemetery	£109.28
Anglian Water	Water for (Begdale) playing field	£1.20
Cambridgeshire ACRE	Membership 2016/17 (includes VAT of £9.00)	£54.00
Johnston Publishing	Advertisement in Fenland Citizen on 30/11/16 (includes VAT of £27.14)	£162.82
Sharman Fabrications	Install matting at Elm play area (includes VAT of £90.00)	£540.00
<b>Total Expenditure</b>		<b>£4,224.06</b>

In addition, the Clerk reported on the levels of funding held within the Parish Council's bank and savings accounts as at 30 November 2016 (in the total sum of £168,841.74), together with the figure as at 30 November 2015.

Councillor Pinnock suggested a number of items for which expenditure should be included in the council's budget for the financial year 2017/18, including: repair works the former Cemetery Chapel, the production of a layout plan for the extended area of Elm Cemetery and additional road monitoring (as he had mentioned at minute 81/16 (2)). He proposed that the Clerk and he would meet to discuss these suggestions prior to the council's considerations at its next meeting regarding the setting of a budget and Parish Precept for the financial year 2017/18.

Members decided

- (1) that the income of £1,910.60 be noted and that the expenditure of £4,224.06 be authorised;
- (2) that the levels of funding held within the Parish Council's bank and savings accounts as at 30 November 2016 and the position as at 30 November 2015 be noted;
- (3) to note that, after allowing for the Parish Council's ear-marked reserves (totalling £93,595.00) at 30 November 2016), the actual balance available to the Parish Council at 30 November 2016 was £75,246.74; making further allowance for a general contingency of £55,000 reduces the actual balance available to the Parish Council at 30 November 2016 to approximately 20,247.00;
- (4) the Clerk and Councillor Pinnock would meet to discuss the council's budget and Parish Precept for 2017/18 prior to consideration of this matter at the next meeting of Elm Parish Council.

### 102/16 Grants to voluntary and charitable bodies

Members considered an application for financial assistance from the Wisbech and District Stroke Club for £200.00 towards the club's annual operating costs (which include exercise sessions, visits to the cinema and other socially-interactive activities).

The Clerk reminded members that the Parish Council had provided financial support of £300.00 in the financial year 2012/13 and £350.00 in the financial year 2014/15.

Members decided that the application from the Wisbech and District Stroke Club for financial support in the sum of £200.00 be approved.

### 103/16 Hire of Parish Council office building

Further to minute 69/16 (2), Councillor Stokes invited the council to review the decision reached at that minute that Elm United Charities be no longer permitted use of the Parish Council office on a free-of-charge basis for its meetings.

Councillor Stokes commented that the original building on the site of the current Parish Council office was provided in 1985 at public expense, on the basis that it would be available for use by the whole community; he expressed the opinion that it is, therefore, invidious and vindictive to charge only one community group for use of the current Parish Council office building.

Given that the council had made the decision at minute 69/16 (2) because of the upset that the grant of planning permission for the proposed development at Henry Warby Avenue had caused to many parishioners and had, therefore, sought to "punish" the applicant, Elm United Charities, Councillor Stokes read to the council the following extract from Charity Commission regulations:

*"Where trustee are disposing of land which is let to produce an income for the charity, they must be satisfied that the sale of the land is more beneficial to the charity than the retention of the land. Trustees need to seek professional advice on the long-term potential of the land.... They will also need to compare the income which the land would yield if they retained it, with the income they would obtain by selling it and investing the proceeds".*

Councillor Stokes added that it is the legal duty of charity trustees to maximise income for the benefit of the community; they would be in dereliction of their duty if they were to do nothing with their assets. He commented that this precisely what had been done by Elm United Charities with the land at Henry Warby Avenue. Councillor Stokes informed members that in the past five years Elm United Charities had given £22,385 to the parish.

Councillor Stokes suggested that a number of members of the Parish Council had been uncertain, because of links to Elm United Charities, as to their eligibility to participate in the voting on the proposal to levy a charge for the charities' use of the building and he expressed the opinion that the situation had resulted in the wrong decision being made by the council. Consequently, he proposed that, in the light of the information that he had presented, the council rescinds the decision reached at minute 69/16 (2) to charge Elm United Charities for use of the Parish Council office.

Members decided that the proposition of Councillor Stokes that the decision reached at minute 69/16 (2) to charge Elm United Charities for use of the Parish Council office be rescinded.

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

### **104/16 Resignation of Clerk to the Council**

The Clerk reported formally that he had submitted to the Chairman, on 16 November 2016, notice of his resignation, with effect from the January 2017 meeting of the council, from the post of Clerk (and Responsible Financial Officer) to Elm Parish Council. He explained the reason for his decision; i.e. to achieve a better work/life balance – to spend less time working and having more time to do other things. The Clerk stated that he would be happy, if the council so wished, to provide some “training” (at a rate to be agreed) to his successor.

Councillor Pinnock and the Clerk had met, for a period of approximately 5 hours, on 24 November 2016 for the Clerk to provide information to Councillor Pinnock, with the aim of achieving, as far as is possible, a smooth handover from the current Clerk to his successor.

The Clerk explained the current situation with the process to recruit a new Clerk to the Council; the closing date for the Chairman’s receipt of applications is 16 December 2016. The council would then need to decide which candidates to call for interview.

The Clerk outlined some of the operational issues which would need to be undertaken, such as changes to bank mandates to revise the council’s authorised cheque signatories.

Members decided that the information reported by the Clerk be noted and that a recruitment panel – comprising Councillors Brand, Miss Ferguson and Pinnock – would decide which candidates to call for interview, interview those candidates and be delegated the authority to make an appointment to the post of Clerk (and Responsible Financial Officer) to Elm Parish Council.

### **105/16 Elm Parish Council Standing Orders and Financial Regulations**

Members considered revised/updated versions of Elm Parish Council’s Standing Orders and Financial Regulations, following review by the Clerk and Councillor Pinnock of the current versions of these documents.

The purpose of the review was to ensure that all amendments made to earlier versions had been “captured” and that the documents reflect the current practices of the council.

Copies of both documents had been circulated to members, for comment, in advance of the meeting.

Members decided that

- (1) the Standing Orders presented to the council be adopted, with immediate effect, as the “Standing Orders of the Council:13 December 2016”;
- (2) the Financial Regulations presented to the council be adopted, with immediate effect (in substitution of the regulations adopted in 2008 and any amendments thereto; )as the “Financial Regulations of the Council:13 December 2016”.

### **106/16 Correspondence**

The Clerk informed members that there are currently no items of correspondence for reporting to the council.

Members decided that the situation be noted.

**107/16 Dates of meetings for 2017**

Members decided that meetings of the Parish Council in 2016 (all commencing at 7.00 pm and taking place in the Parish Council office on Begdale Road, Elm) be held on the following dates: 17 January, 21 February, 21 March, 18 April, 23 May (Annual Meeting of the Council, following the Annual Assembly), 20 June, 18 July, 15 August, 12 September, 17 October, 14 November and 12 December.

**Meeting finished at 8.50 pm**

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

Date:.....