

Minutes
of the meeting of
MAYLAND PARISH COUNCIL
held in the Lawling Park Hall
on Tuesday 10th February 2015
at 7.29 p.m.

Present

Cllr Evans (Chairman)	Cllr Oatham
Cllr Duncan	Cllr Pettitt
Cllr Hawkes	Cllr Spires
Cllr Gibson	Cllr Robinson
Cllr Massenhove	Mrs Massenhove (Clerk)

1 representative of the MDC Park Rangers
2 residents

144. Apologies for Absence

None.

145. Declarations of Interest

Cllr Pettitt declared an interest in item 151, Drainage at Bakersfield.

146. Minutes of the Previous Meeting

Cllr Hawkes proposed accepting the minutes from the meeting held on 27th January 2015. Cllr Robinson seconded the proposal, all in favour. The minutes were signed and dated as a true record.

The Chairman closed the meeting at 7.32 p.m. to allow members of the public to address the council.

147. Public Discussion

A resident offered to give any information which might assist with item 151, Drainage at Bakersfield.

A resident expressed concern regarding ducks crossing the road in The Drive. It was reported that feeding of the ducks causes a number of problems including ducks being run over, cars being caused to brake suddenly, sounding of car horns and vermin attracted by food intended for the ducks. Clerk to contact Environmental Health to request advice.

The Park Ranger representative referred to the camping at Bakersfield that was previously dealt with and issues regarding dog fouling. He spoke of the Dog Watch scheme which deals with dog fouling and the Park Watch Scheme which allows members of the public to contact the Park Rangers over various different issues. The Park Rangers do have some powers in dealing with antisocial behaviour; information is also fed backwards and forwards between the Rangers and the police enabling cases to be built up. A rapport has been built up with young people in the area and this also proves useful. Although time is limited, if Park Rangers are informed of where and when their services are likely to be needed, e.g. to spot regular dog walkers who do not clear up after their dogs, they will adjust their hours to accommodate. They patrol open spaces mainly, but are not restricted to these areas if issues are reported elsewhere. Councillors suggested that a telephone number for the Park Rangers is added to the park notice boards, asked if posters can be supplied and put forward the possibility of a Park Ranger update at the Annual Assembly and perhaps in the Annual Review. The Chairman thanked the Park Ranger representative for attending the meeting.

The Public session was closed at 8.05 p.m. and the meeting reopened.

148. Finance

Councillors received a list of all payments and receipts approved by the Finance Committee. Cllr Massenhove proposed accepting both the payments and receipts. Cllr Hawkes seconded the proposal, all in favour; payments and receipts accepted.

Cllr Massenhove proposed accepting the Finance Committee's recommendation to renew membership of the Essex Wildlife Trust. The Chairman seconded the proposal. All in favour. Clerk to action.

149. Planning

The following applications were considered and comment to the Planning Authority agreed: -

FUL/MAL/14/01265

Extension to industrial building

Mayland Hall Mayland Hill Mayland Essex

8 no objection; 1 object

The reason given for the objection is that there are already designated industrial areas in Mayland.

HOUSE/MAL/15/00056

First floor conversion including raising height of existing roof and removal of existing dormers

Crusoes 19 Princes Avenue Mayland Chelmsford

9 no objection

The following application for works to tree protected by a Tree Preservation Order was considered and comment to the local Planning Authority agreed: -

WTPO/MAL/14/01276

TPO 08/91 Area 1 - Area marked by pink boundary on plan - Remove Blackthorn, Hawthorn and area of diseased/dead Elm. Retain 1-2m wide rooting area of boundary vegetation. Clear a 3m x 4m area for new access gate. T1 Blackthorn - Remove. T2 Hawthorn - Remove.

Land South West Of Nipsells Chase Mayland Essex

7 no objection; 2 object

The reason given for both objections is that hawthorn and blackthorn are indigenous to the area.

The following decisions made by the local Planning Authority were noted: -

HOUSE/MAL/14/01033

Erection of a two storey side and rear extension to form an annexe

1 Bakersfield The Drive Mayland Essex

REFUSE

FUL/MAL/14/01062

Demolish existing dilapidated bungalow and replace with new 1.5 storey dwelling.

Demolish existing detached garage (new garage is integral with new dwelling)

5 Sea View Parade Mayland Essex CM3 6EL

REFUSE

FUL/MAL/14/01131

Pair of identical one and half storey detached dwellings with associated external works

Plot Between 8 & 16 Promenade Mayland Essex

APPROVE

150. Clerk's Report

Each Councillor has received an update on matters from the previous meeting. It was agreed that paper copies of the Clerk's Report should be circulated to councillors with each agenda. Clerk to action.

151. Drainage at Bakerfield

Having expressed an interest in this item, Cllr Pettitt did not take part in its discussion.

Councillors discussed responsibility for a french drain at Bakersfield, as information received from Maldon District Council was inconclusive.

The Chairman closed the meeting at 8.46 p.m. to allow public discussion.

A resident described the history of the french drain. Cllr Spires suggested that as well as maintenance of the french drain, the effectiveness of drainage the other (field) side of the Bakersfield Walk should be taken into account.

The public discussion was closed and the meeting reopened at 8.58 p.m.

The following actions were agreed: -

- Clerk to obtain a copy of the S106 agreement relating to Bakersfield from MDC.
- Clerk to obtain parish council minutes to check what agreement was made.
- Clerk to seek advice from the relevant department at ECC.
- Clerk to obtain title plans for the area within the Bakersfield/Lawling Park boundary.
- Groundsman to assess the existing french drain.

152. Terms of Reference for Committees

It was noted that whilst the council is working correctly to financial standing orders, it would benefit from an itemised framework for each committee. The Chairman proposed that terms of reference are drafted for all committees for acceptance at the May Annual Meeting. Cllr Spires seconded the proposal. All in favour. Clerk to action.

153. Lawling Park Committee including Bakersfield, Lawling Playing Field & Dog Walk Area

Each Councillor has received a copy of the minutes from the previous LPC meeting.

A quotation to replace the manhole cover and small drain cover near the Lawling Park Hall was discussed. Cllr Massenhove proposed determining if the price can be reduced by the use of a lighter weight drain cover whilst accepting the quotation as a maximum price. Cllr Oatham seconded the proposal. All in favour. Clerk to action

Cllr Spires reported a disagreement that occurred at the recent Lawling Park committee meeting, including a suggestion by Cllr Pettitt that a decision made at that meeting (regarding the use of the Bakersfield park) area was illegal. He wished it to be known that in his time as a councillor and as a member of the Lawling Park Committee he has not seen written terms of reference, but that the committee has been governed by historical convention and that discharge of powers to the committee is agreed by the full parish council annually. He circulated reports from around 2005 showing that the land in question was drained for use as a sports field and also a 2008 plan, agreed by the parish council, showing the positions of two football pitches on the field. He stated that the field has not previously been used as a football field solely because it was not yet of a sufficient standard due to drainage issues. He asked that the challenge to the legality of the decision be withdrawn and for reaffirmation from the full parish council that the decision was not illegal.

Cllr Pettitt responded that, without seeing terms of reference, it cannot be clear what decisions the committee has the power to make. She pointed out that the plans referred to pre-date the Parish Plan survey and also referred to the committee's discussion (at its November 2014 meeting) of the potential use of the Bakersfield field; it was suggested then that an overall plan for the field is needed to accommodate residents' requests made via the Parish Plan. She stated that her main concerns were use of the agreed budget, proximity of the pitch to the toddler play area, the on-going cost of maintaining an additional pitch and her request for the issue to be brought to the full council. Cllr Pettitt

did withdraw her challenge that the LPC decision was illegal but followed on stating that the method used was underhand, and would not withdraw that statement.

Other councillors stated that a significant amount of money was spent on drainage of the area on the understanding that it was to be used for a football pitch once the ground became suitable. It was suggested that facilities such as picnic areas could be provided elsewhere on the park and on other open spaces. The Chairman read out that Cllr Pettitt had proposed 'The powers' to be discharged to the LPF committee at the Annual Assembly May 2013. Cllr Oatham proposed a vote of confidence in the Lawling Park chairman and committee. Cllr Duncan seconded the proposal, 7 in favour, 1 against, 1 abstained. Motion carried.

The Chairman suggested that any further discussion should take place within the Lawling Park Committee.

154. Neighbourhood Plan Committee

Each Councillor has received a copy of the minutes from this month's NP meeting.

155. Highways

It was agreed that on this occasion any highways issues should be reported to the Clerk subsequent to this meeting.

156. Parks & Open Spaces *including George Everitt Memorial Park, Cardnell Brothers Memorial Park Field & Mayland Nature Reserve*
Nothing to report.

157. Village Environment *including Lighting, Vandalism, Sea Wall, Transport*
Decision on lighting contract deferred for discussion at next meeting.

158. Footpaths

Discussion deferred for discussion at next meeting.

159. Flooding Priorities

It was agreed that priorities are drainage ditches at Katonia Avenue, Bakersfield and the southern end of Mill Road. Clerk to submit this information to ECC.

160. S106

Discussion deferred for discussion at next meeting.

161. Training

Cllr Oatham proposed agreeing a training request submitted by the Clerk. The Chairman seconded the proposal. All in favour. Clerk to action.

The Chairman proposed offering risk assessment training to the groundsman. Cllr Gibson seconded the proposal. All in favour. Clerk to action.

Cllr Pettitt gave her apologies and left the meeting at 10.05 p.m.

162. Correspondence

Active Essex – Clerk to forward information regarding Inter-community Games to Mayland Clubs.

Gladman Developments Ltd – letter regarding proposed outline planning application noted.

Resident – Clerk to respond to letter regarding sea wall access.

A & J Lighting – letter and price list noted.

MDC – Minutes and Reports of the Council and its Committees 1st December 2014 – 14th January 2015 noted.

JWA – The Chairman and Cllr Gibson suggested people who may be able to help with this request for information relating to Mayland during WWII. Clerk to forward letter.

163. Items for Next Agenda

Grant to Church

The meeting closed at 10.10 p.m.

**Dates of next meetings: Tuesday 24th February 2015 (Planning only)
Tuesday 10th March 2015**