



Minutes
of the meeting of
MAYLAND PARISH COUNCIL
held in the Lawling Park Hall
on 12th April 2016
at 7.36 p.m.

Present: Cllr Evans (Chairman) Cllr Massenhove
Cllr Duncan Cllr Oatham
Cllr Hawkes Cllr Lund
Cllr Spires

Clerk: Mrs J Massenhove

In attendance: D Cllr Michael Helm
Mr K Wright, Community First Responders
3 residents

D Cllr Mrs Penny Channer sent her apologies.

247. Apologies for Absence

Apologies were received from Cllr Pettitt.

248. Declarations of Interest

No interests were declared.

249. Minutes of the Previous Meeting

Cllr Spires proposed accepting the minutes from the meeting held on 8th March 2016. Cllr Duncan seconded the proposal, all in favour. The minutes were signed and dated as a true record.

Cllr Hawkes proposed accepting the minutes from the extraordinary meeting held on 22nd March 2016. Cllr Oatham seconded the proposal, all in favour. The minutes were signed and dated as a true record.

The Chairman closed the meeting at 7.40 p.m. and opened the public session.

250. Public Discussion

A resident addressed the council regarding the French drain at the rear of the Bakersfield properties, stating that its condition is becoming worse each year and that he feels it is possibly the council's responsibility to clear it. The Clerk reported on the council's actions to date involving attempts to confirm responsibility for the French drain and obtain advice regarding the practical action required. Particular reference was made to a visit by a Watercourse Regular Engineer from Essex County Council in March 2014, at which time it was recorded that no connection to a watercourse was evident and that further records investigation is required to determine the original design parameters. Cllr Oatham suggested referring to the original planning application for the Bakersfield properties to see if these provide information relating to the ditch. The Chairman added that the matter must be resolved and that we are looking to ECC's specialists to lead us with a solution.

The Chairman presented Mr Wright, of the Community First Responders, with a cheque for £1340. The Community First Responders are to provide a defibrillator and box to be mounted on an outside wall of the Lawling Park Hall; there it will be available for emergency use by the public 24 hours per day.

D Cllr Michael Helm gave an update on the Local Development Plan. A new inspector has been appointed by the Secretary of State. The inspector wishes to consider a number of matters, not just the traveller site issues. He will then give his opinion to the Secretary of State who will make the final decision. Cllr Oatham expressed concern that the delays are leaving us open to additional planning decisions in the meantime.

The Chairman closed the public session and re-opened the meeting at 8.00 p.m.

251. Finance

- Councillors received lists of all payments and receipts approved by the Finance Committee. Cllr Hawkes proposed accepting both the payments and receipts. Cllr Spires seconded the proposal, all in favour. The payments and receipts are listed in this month's Finance Committee minutes.
- Verification of the bank reconciliations was noted; bank statements and reconciliations were signed by Cllr Hawkes during the Finance Committee meeting.
- Quarterly Accounts - Cllr Massenhove proposed accepting the accounts for January – March. The Chairman seconded the proposal. All in favour.
- It was noted that the new National Living Wage comes into effect from 1st April; workers aged 25 and over will be entitled to a minimum pay rate of £7.20 per hour.
- E-mail address - The cost of retaining the parish council's current e-mail address is to be increased from £1.60 to £5 per month. The Chairman proposed changing the e-mail address (from maylandpc@btinternet.com to maylandpc@btconnect.com) whilst retaining the current one for three months to allow a changeover period, as recommended by the Finance Committee. Cllr Massenhove seconded the proposal. All in favour. Clerk to action.
- Virement - The Chairman proposed a virement of £340 from the LPH Expenditure budget to the S137 budget as recommended by the Finance Committee. Cllr Massenhove seconded the proposal. All in favour. Clerk to action.
- Chairman's Allowance – there was much discussion whether or not to include a Chairman's Allowance within the council's budget, as recommended by the Finance Committee. Concern was raised that this could appear to the public as inappropriate use of council funds. The Clerk stated that formal guidance has been sought on this matter; such an 'allowance' would *not* be a payment to the Chairman, but would be a legitimate means of setting aside a sum to cover the cost of items such as the small gifts given to residents giving voluntary service to the parish. It is not the intention to spend any additional funds, and a separate budget heading should in fact make such expenditure more transparent. The Chairman proposed setting up a Chairman's Allowance, with any decisions regarding expenditure under this heading to be agreed by full council. Cllr Massenhove seconded the proposal. 5 in favour; 1 against; 1 abstain, motion carried. Clerk to action.

Figures for a Chairman's Allowance were suggested and discussed. The Chairman proposed a virement of £150 from LPC General Maintenance to a new budget heading, 'Chairman's Allowance'. Cllr Massenhove seconded the proposal. 5 in favour; 1 against; 1 abstain, motion carried. Clerk to action.

- The purpose of the Finance Committee and the worth of holding separate Finance Committee meetings were considered; it was noted that discussion is often duplicated as financial decisions are ultimately made by full council. The Chairman proposed dissolving the Finance Committee and for all financial matters to be considered by full council. Cllr Massenhove seconded the proposal. 6 in favour; 1 abstain, motion carried. Cllr Spires suggested that, in future, full council meetings incorporating finance matters should start at an earlier time of 7.00 p.m.

252. Planning

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

- FUL/MAL/16/00238
To repair the top 48m of the existing boat launching ramp (Jetty). Involving replacing 16 piles, a new main structure and decking joining the original structure at the dog leg.
Harlow Sailing Club Sea View Parade Mayland Essex
Cllr Massenhove proposed that the recommendation to MDC is the granting of planning permission. Cllr Hawkes seconded the proposal. All in favour.
- LDP/MAL/16/00263
Proposed mobile home to be used as additional accommodation to the existing dwelling
Lermoos 32 Wembley Avenue Mayland Essex
Whilst it was noted that this is a claim for a Certificate of Lawful Development and that views on the planning merits are not being sought, councillors unanimously wished to object for the following reasons:-
 - Occupancy of the plot would be increased without a corresponding increase in parking.
 - The proposal is out of keeping with the surrounding area.
 - There is a presumption that occupancy has been concealed until now to avoid any complaints being raised.

The following application, for which the parish council had previously recommended refusal of planning permission, was discussed further to additional 'environmental mitigation' information having been received from MDC: -

- OUT/MAL/15/00610
Development of land for 50 new dwellings, new vehicular access onto Orchard Drive, internal roads, footways and cycle links, open space, and landscaping.
Land South West Of Riversleigh Nipsells Chase Mayland Essex
It was agreed that whilst previous comments remain valid, the council wishes to reinforce its views on the following points: -
 - Vehicular traffic has only one entry/exit, being via Orchard Drive. This is wholly unacceptable.
 - The proposed access crosses the ancient St Peter's Way footpath and would be a hazard to pedestrians and cyclists.
 - This area of the village already has significant parking and traffic issues, especially parking on the bend of Orchard Drive – the proposed main approach to the development. The on-road parking in Orchard Drive is already excessive, causing blind spots on the bend. The increased traffic to and from the site would be dangerous, not only at its junction with Bramley Way, but also on the bend in Orchard Drive and the junction with Nipsells Chase.
 - Parking provision on the development is inadequate for a rural area, especially considering the number of larger houses proposed – the proposal does not appear to use the land efficiently. The lack of sufficient parking on this site (regardless of guidelines) means that over-spill parking will encroach on an already congested Orchard Drive.
 - Congestion on Nipsells Chase would also be worsened by the additional traffic.

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

- HOUSE/MAL/16/00028
First floor extension
Mayflower 5 Imperial Avenue Mayland Essex
APPROVE

- HOUSE/MAL/16/00050
First floor extension
Lynhurst 271 Esplanade Mayland Essex
REFUSE
- HOUSE/MAL/15/01362
Erection of a two storey side/rear extension to form annexe accommodation
1 Bakersfield The Drive Mayland Essex
REFUSE
- PDE/MAL/16/00222 Mayland
Rear extension which would extend beyond the existing rear wall of the original house by 5.3m, maximum height 3m, height to eaves 3m.
267 Esplanade Mayland Essex CM3 6AL
PRIOR APPROVAL NOT REQUIRED

D Cllr Michael Helm left the meeting at 8.48 p.m.

The Chairman brought forward agenda item 258, French Drain at Bakersfield. For ease of reference, the item is minuted in its original agenda position.

253. Clerk's Report

The Clerk's update on matters from the previous meeting was noted and a brief verbal report was also given on recent clerks' events: -

- Clerk's Forum – A demonstration was given of a facility to record meetings and representatives from MDC gave updates on devolution, the new refuse contract, planning policy and parish consultation on planning applications.
- SLCC Essex Branch Training Day – talks were given on tree management, accounts, VAT and insurance.

The Clerk suggested that the tree management information was of particular interest, given the council's wish to improve the upkeep of the Mayland Nature Reserve, and suggested that the council may wish to consider commissioning an arboriculturist's inspection; it was agreed that a quotation for this should be sought.

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

It was noted that each Councillor has received a copy of the minutes from the previous LPC meeting.

255. Neighbourhood Plan Committee

It was noted that each Councillor has received a copy of the minutes from the previous NP meeting.

Cllr Spire reported on the Maldon District Design Review Panel meeting that he had attended. The panel comprises fourteen specialists in housing, infrastructure etc. to whom neighbourhood plans will be referred. There will be a fee for this. Cllr Spire expressed concern that, as yet, we have no idea what these charges will be; we are over half way through our neighbourhood plan and are in a position where some guidance from MDC is needed.

256. S106 Expenditure

Quotations of £47,500 and £35,000 for extension of the skate park have been received. It was acknowledged that other options may need to be considered to meet the play equipment requirement of the S106 Agreement.

A potential project manager has been identified who could also prepare a specification for works to be carried out to the Lawling Park Hall.. It was suggested that Cllr Spire has an initial meeting with him. The decision whether to formally engage him is delegated to the Lawling Park Committee.

257. Waste Storage at Bradwell

Cllr Massenhove expressed concerns at the successive changes in plans relating to the storage of waste at Bradwell and requested that the parish council writes to ECC highlighting these worries. He read aloud a draft letter he had prepared for consideration by the council. Amendments were made further to councillors' comments, and content of the letter (observing the deviation from the original plan and registering MPC's objection to the revised plan referred to in a recent e-mail from Magnox) was agreed.

Councillors requested that copies of this letter are also sent to the chairman of Bradwell Local Community Liaison Council (LCLC), John Whittingdale and the Environment Minister. Clerk to action.

258. French Drain at Bakersfield

The Chairman stated that a decision must be made as to whether the French drain is on parish council land and whether it is the parish council's responsibility. Cllr Oatham stated that he would like to see the original plans as they should show where the ditch was intended to be. The following actions were agreed: -

- Look at the original plans to identify the position/route of the French drain.
- Request a site meeting with Lee Sencier (ECC Watercourse Regulation Engineer) and Shirley Hall (MDC Environmental Health Manager).

259. Asset Register

Review of the asset register is deferred to a future meeting.

260. Highways

Cllr Oatham enquired after ownership of, and works previously carried out on, the verge at the junction of Nipsells Chase and Steeple Road. It is understood that this land belongs to Essex Highways, although the parish council currently pays for 50% of the grass cutting. It was questioned whether there is any possibility of MPC taking ownership of this land. Clerk to contact Highways to investigate this.

MPC's request for a traffic count at Steeple Road was discussed further. A map was marked for submission to Highways with confirmation that a traffic count is still required. Clerk to action.

Cllrs Lund and Massenhove left the meeting at 9.45 p.m.

Cllr Hawkes raised the issue of parking outside the St John's Court flats in Nipsells Chase. The Chairman noted that correspondence has recently been exchanged with both Highways and South Essex Parking Partnership regarding parking and enforcement in Mayland. It was suggested that the Park Rangers, who have parking enforcement powers, are requested to dedicate a specific amount of time each month to focus on parking. Clerk to contact the Rangers.

261. Parks & Open Spaces including George Everitt Memorial Park, Cardnell Brothers Memorial Park Field & Mayland Nature Reserve

The siting of the proposed picnic/garden area was discussed and the Chairman presented a sketch showing a possible layout. Cllr Oatham proposed siting the area within Bakersfield Walk. The Chairman seconded the proposal. All in favour. The Chairman suggested that the next step is to consider size and design and the seeking of formal advice.

It was noted that the perspex cover on the recently renovated plinth at the Mayland Nature Reserve has been vandalised. Clerk to purchase 'high impact' replacement.

262. Village Environment including Lighting, Vandalism, Sea Wall, Transport

Cllr Duncan expressed a lack of confidence in ECC regarding public transport, citing in particular the lack of information relating to the Sunday bus service (due to start in April) and the lack of information during the recent bus consultation.

263. Footpaths

It was noted that two additional evidence forms relating to use of the orchard footpath have been received from residents and forwarded to ECC.

264. CCTV

Nothing to report.

265. Correspondence

- Essex Legal Services – acknowledgement of receipt of application to add a footpath from Sea View Parade to Nipsells Chase.
- Barclays – letters informing of changes to bank accounts.
- Valuation Office Agency – notice that rateable values of business properties are being updated.
- Maldon District Council – Minutes and Reports of the Council and its Committees January/March 2016. These are currently being circulated.
- Essex Legal Services – acknowledgement of the two additional evidence forms and confirmation that they will be filed with the others pending investigation.
- East Anglia Children's Hospices – request for donation and assistance with publicity. The sender has been sent a link to the grants page of the parish website and an offer to display flyers on parish notice boards.

266. Items for Next Agenda

Number of councillors required for a quorum (possible amendment to Standing Orders)

Tree inspection quotation

Land on the corner of Nipsells Chase/ Steeple Road

The meeting closed at 10.10 p.m.

Dates of next meetings, Tuesday 19th April 2016 – Annual Parish Assembly
 Tuesday 19th April 2016 – Annual Meeting of the Parish Council