



Minutes
of the meeting of the
ORCHARD MANAGEMENT
COMMITTEE
held on Wednesday 17th November 2021
at 7.00 p.m.

Present: Cllr Haywood Cllr Spires
Cllr Chandler Cllr Todd
Gordon Morris Robert Harding
Ray Harvey

Clerk: Mrs L Whitefield

1 Members' Apologies for Absence

None

2 Declaration of Interests

G. Morris and R. Harvey live adjacent to the Orchard

3 Public Discussion

G Morris asked how the Management committee was going to be set up and if needed its own terms of reference. Cllr Haywood explained that if a formal meeting is held, then minutes are taken and there is a record of all decisions made. All on committee can discuss matters but only Parish Councillors can vote.

Cllr Spires added that all on the committee will work under the Parish Council structure. The committee cannot do anything that is not in line with the terms of reference for the Parish Council. The Chairman and Vice-chairman have got to be members of the Parish Council as they will be the ones who vote.

4 Committee Members

Cllr Haywood proposed Cllr Chandler to be the Chairman of the Orchard Management Committee. Cllr Spires seconded this. All in favour

Cllr Chandler proposed Cllr Todd to be the Vice-Chairman of the Orchard Management Committee. Gordon Morris seconded this. All in favour.

Cllr Chandler took over as Chairman.

5 Review of TPO Meeting

Cllr Spires read out the recommendations from the TPO officer from Maldon District Council.

- To form winding pathways through the woodland
- Brushwood cutting/felling up to 150mm trunk diameter
- Use felled timber to form stacked edging around perimeter fences, these would form bug hotels and save cost of us putting up fences on boundaries
- Construct a rise/fall rainwater pond at low point
- Entrance clearing into woodland proper to allow paths off
- Bridge over clearing ditch (Location discussed)
- A disabled path with aggregate finish may be more direct to centre
- Any seating to be of sympathetic material using trunks brought in
- Signs indicating type of trees
- Dog walking allowed

- Planning application takes about 8 weeks
- Dense woodland approximately 5 metres from all neighbouring boundaries
- Any ditches add gravel to bottom to help continual flow
- New land being purchased to form entrance. Ask landowner to arrange to scrape it and then we add stone chippings or similar to keep it clear
- Create open glades to allow sunlight into the wood
- Developers could contribute towards a green space like our woodland to compensate for the loss of green land they build on
- To change from a working party to a management committee and ask for volunteers to join. These can be residents as well as councillors but only councillors get a vote.

A path will be built for disabled users using aggregates. Only a short route approx. 1.8m wide.

Discussed possibility of a future Parish Council selling the land to developers. A covenant could be put on the land similar to Cardnell Field. R. Harding to look into.

G Morris pointed out the land was previously used for agricultural purposes and asked if the PC had applied for change of use. Clerk to check with planning department.

6 Additional Land

Cllr Haywood has met with Geoff Wood regarding the additional land offered to us. He has confirmed the cost of this land is £7,500. The Parish Council has allocated £18,000 in its reserved funds to purchase this land, put up fencing and pay solicitors fees for both the Parish Council and Geoff Wood's. There was mention of using a local retired solicitor to transfer the land ourselves but Cllr Haywood worried this could fall back on to the Parish Council if anything went wrong.

Cllr Chandler proposed that a solicitor be used to purchase this land. Cllr Todd seconded this. All in favour.

Cllr Haywood suggested that with the help of Tom Moss, a local architect, the land be staked out to show this additional land. He will need the original survey to show Geoff's land and then he will submit land registry plan with the additional 8 feet on to submit to the solicitor. He won't charge for this.

Cllr Chandler proposed that Tom Moss be used to prepare the plans for the solicitor. Cllr Spires seconded. All in favour.

Clerk to check with Kew Law what fees they have quoted.

7 Fences

There are two options for where to put the fences.

- 1) To install a new fence on the other side of the additional land at a cost of £6,500. This would form an alleyway between the two fences.
- 2) To remove the fence and move to the other side of the additional land. Then a new smaller fence along the boundary of the ditch. It would have to be lower so that access to the ditch can be obtained. This would mean however, that 3 houses along this stretch would not get the 5 foot buffer which had been promised when the land was originally purchased.

R Harvey said even if the 6 foot fence was put up, then 2 houses have only got 4 foot to the rear of their gardens.

If the gate was locked every night, then no problems but if people wanted to get in then they would.

Cllr Chandler suggested that if a 6 foot fence was put up to Mr Harvey's house, then a lower one from then on.

Ditch could be piped. ECC suggested putting holes in the pipe but these can get blocked.

Cllr Haywood to speak with fencing contractors to get suggestions about moving the fence.

If we purchase the land, Mr Wood has requested a gate at an angle so he can get vehicles in that entrance.

Suggestion to only purchase land up to the gate but easier if we own it then can get an easement to change it.

Cllr Haywood going to stake out the land with Tom Moss for Mr Wood to agree.

8 Pond

Still awaiting more information from Andrew from ECC about getting a grant for the pond. Cllr Haywood to follow up.

9 Solicitor

It was agreed at the full Parish Council meeting that a solicitor would give advice at a cost of up to £300 regarding land ownership for those backing on to the orchard.

10 Residents purchasing land

Discussion over those residents who have taken part of the land at the rear of their gardens. Some have submitted adverse possession orders at solicitors.

Residents unhappy that no discussion took place before we bought the land

Discussion about residents purchasing their piece of land and putting a fence up to save PC money. Some will not be able to purchase it.

Solicitors meeting will help clarify some of these points

Cllr Spires confirmed it was always the council's intention to get the land back from the residents.

11 Matters for next Agenda

Fencing

Residents

The meeting was closed at 8.52 pm