

## **MUCH HADHAM PARISH COUNCIL**

MINUTES of the Much Hadham Parish Council meeting held on Tuesday, 1<sup>st</sup> February 2022, in the Much Hadham Village Hall, at 7:31 pm.

Cllr Mrs K Hamilton  
\*Cllr I Hunt (Vice Chair)  
Cllr Mrs J Liversage  
\*Cllr D McDonald

\*Cllr B O'Neill  
\*Cllr S Smith  
\*Cllr Mrs P Taylor (Chair)  
\*Cllr K Twort

\* denotes present

In attendance: F Forth, Clerk and 11 members of the public.

### 22/17. APOLOGIES FOR ABSENCE

Apologies for absence were received and approved from Cllr Mrs K Hamilton and Cllr Mrs J Liversage.

### 22/18. DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATION

None.

### 22/19. NOTIFICATIONS OF URGENT BUSINESS

None.

### 22/20. CHAIR'S ANNOUNCEMENTS

The Chair announced the resignation of Cllr Mrs H Maduhu and took the opportunity to thank her for her contribution and wished her well for the future. The vacancy has been advertised, providing an opportunity for 10 or more residents to call for an election. If no election is requested by the 16<sup>th</sup> February, the vacancy can then be filled by co-option. More information can be obtained from the Clerk, or any Cllr.

In addition, the Chair reminded those present that any person could be recording the meeting and for Cllrs to speak up.

### 22/21. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the last meeting held on 11<sup>th</sup> January 2022 be accepted as a correct record of the proceedings and be signed by the Chair after the meeting.

## 22/22. REPORTS ON OUTSTANDING MATTERS AND RESOLUTIONS

The following updates were provided in relation to outstanding matters and resolutions:

- noticeboard refurbishment – potentially, quotes will be available for consideration at the March meeting;
- Pavilion shutter – cover still not installed and quotes for glazing the doors still being sought; and
- tree works – tree plan has been updated and quotes being sought for the work identified as being “in 1 year” on the plan.

## 22/23. MEMBERS’ REPORTS

### (i) Community

#### Recreation Ground

Cllr K Twort reported that there had been no recent Sports Association meeting. In addition, he confirmed that he had passed the Chair’s Pavilion snagging list to the contractor for action.

Cllr D McDonald stated that the quotes for the lights and CCTV were in the process of being refined.

#### Village Hall

Cllr B O’Neill provided an update from a recent Village Hall Management Committee meeting. The key points were:

- financial position is healthy with the receipt of COVID grants, enabling funds to be available for maintenance projects from the Development Plan;
- first 3 projects from the Development Plan being undertaken are redecoration of the Main Hall, replacement curtains in the Main Hall and replacement water heater for the Green Room kitchen;
- accessing Section 106 funding being investigated, potentially to help fund the future re-surfacing of the car park;
- some electrical works being undertaken following completion of a 5-year fixed wire test as well as some minor repairs; and
- possible fund raising events discussed given likely that there will be no Fete.

(ii) Environment (inc Public Rights of Way (PRoW))

General

Cllr S Smith commented that the recent bout of dry weather had made walking and rambling along the footpaths and bridleways a tad less muddy and more enjoyable. With Spring on the horizon improvements will be seen when the grass starts to grow once more.

Public Rights of Way

Cllr S Smith provided the following update:

- Footpath 11 Diversion Order – no further news except for a request to clear the brambles away from the steps and gate at Dell Cottage which may be completed shortly;
- Footpath 37 Diversion – evidence being provided by the owner's agent that a diversion order was agreed 30-40 years ago. If found to be correct, Herts County Council (HCC) will update the current map accordingly;
- Footpath 29 – excessive growth between Widford Road and the first bridge had been cleared. The bridges on this footpath/bridleway will need to be completely replaced at some point to avoid temporary repairs being needed every 6 months or so; and
- Footpath 20 bridge - bridge remains closed for the foreseeable future while the many parties involved are coordinated by HCC and Ringway in carrying out their respective tasks in the overall repair programme.

Rubbish bins

The Chair reported that she had received a quote to remove the 5 rubbish bins, 2 of which are on the pavement, of £400 to include making good works.

(iii) Highways (inc street lighting)

The Chair highlighted that a meeting with Highways was being sought, particularly as a number of actions are due to be completed before the year end.

Lighting

Cllr B O'Neill reported that the lighting project is nearing completion. The "walk round" the lights on 25<sup>th</sup> January had identified a number of items, namely:

- 3 concrete columns had been completely replaced (instead of being fitted with a sleeve and a new lantern) which may add £5,190 (approximately) to the total project cost. This is Ringway policy as the concrete columns were coming to the end of their safe working lives;

- column F5 by 77-91 Windmill Way had been removed due to a dangerous crack in the concrete. Surveys carried out in 2017, 2019 and 2020 concluded that replacing the light was unnecessary because of the proximity of other lights. The housing association should be asked to reinstate all the pathway lighting for the benefit of the nearby residents;
- surveys covering the light (No 58) outside Chells concluded that the additional brightness of the new lanterns in Ash Meadow and outside Londis would be sufficient to render a new lantern at Chells unnecessary, in addition to which, the Ash Meadow light is obscured by a holly bush which could be pruned to allow more light to be cast on the bus stop. It was noted that the presence of a bus stop does not necessitate a streetlight on a rural bus route;
- there is some outstanding work to be done on 3 lanterns, and 9 columns still need to be painted which is best done when the weather is warmer;
- 4 columns need realignment;
- 1 column has a faulty door lock; and
- 2 (possibly 3) lanterns need additional shielding.

In addition, Cllr B O'Neill highlighted that all the old columns and lanterns that had been salvaged from the project had been sold.

Following discussion, it was agreed to pursue the invoice for the project to enable it to be paid before the financial year end. It was noted that holding a retention for the painting was not necessary as, once the system is adopted by Herts County Council (HCC), HCC can ensure this work is completed.

The Chair thanked Cllr B O'Neill for his amazing work.

Finally, it was agreed that the Parish Council would write to Clarion, the housing association, to provide support for getting the required pathway lighting reinstated. Cllr B O'Neill agreed to draft the letter and residents were encouraged to also send letters to Clarion.

#### (iv) Media

Cllr S Smith reported he had reviewed the Parish Council's Facebook page, noting that the last posting was August 2021 and he would seek to bring that up to date. He also stated that contributions from Cllrs would be welcomed.

Following confirmation that the intention was to update the Parish Council's Twitter account, the Clerk stated she could provide the access details for this account.

#### (v) Neighbourhood Plan

Cllr I Hunt reported that there was still nothing to report in relation to the Examination, despite chasing East Herts Council.

(vi) Security

Cllr S Smith stated that no report had been received from PCSO Leon de Bruyn.

Cllr B O'Neill highlighted that the police had been in attendance at the Londis recently, providing advice on crime prevention following the increasing trend of burglaries in the area. In addition, the Police had knocked on doors offering advice.

The Chair also reported the police had recently been called to hare coursing taking place in the vicinity of Brands Lane.

Towards the end of the meeting, the Clerk provided the following update received from PCSO Leon de Bruyn:

- two crimes had been reported:
  - criminal damage at the Tennis Club (reported at the last meeting – Minute ref: 22/7(i)); and
  - criminal damage at the bowling green where a gate post had been broken towards the back of the green; and
- as previously highlighted, there had been an increase in residential burglaries over the past 2-3 weeks. Suspects had gained entry at the rear of properties, so everyone was reminded to secure their properties and take all necessary crime prevention measures, such as the use of light timers, external lights and CCTV etc. Crime prevention advice can be sought from the PCSO.

(vii) Other – Nature Reserve

Nature Reserve

Cllr D McDonald provided an update on the Nature Reserve and his report is attached at Appendix A. The salient points are:

- the Parish Council has protested to East Herts Council's (EHC) Head of Planning on their failure to take enforcement action and is continuing to press for enforcement action to be taken. Despite requests, no timeframe for a decision on future enforcement activity has been provided;
- auction activity was highlighted;
- following correspondence with the auctioneers, their marketing material should no longer refer to the land as having development potential;
- Julie Marson MP had been briefed by email and a meeting is being sought to gain her support to ensure the Parish Council's evidence can be considered by Michael Gove's (Secretary of State for Levelling Up, Housing and Communities) review into Planning; and
- the possibility of an Article 4 direction being used by EHC was being investigated.

Cllr I Hunt highlighted that an Article 4 direction was not permanent and not necessarily cost free as the landowner could seek compensation from the district council. In addition, he highlighted that he had contacted all other Parish Councils in East Herts, approximately 40, to identify if they had the same concerns regarding the effectiveness of EHC's planning enforcement. If yes, evidence could be provided to the Departmental review.

The Chair thanked Cllrs I Hunt and D McDonald for their detailed input on this matter.

#### The Bull Inn

Following concerns previously expressed regarding the long term future of The Bull Inn, the Chair highlighted that an advert had been included in the latest parish magazine for residents to be part of a Task and Finish Group to look into this, and apply for designation as an Asset of Community Value.

#### Stansted Airport

Cllr D McDonald provided the following update:

- Manchester Airport Group's application to lift all restrictions on night flights: nothing to report as no further liaison meetings have taken place on this matter; and
- Stansted Airport Group's plans for revising local flight paths: material from the stakeholder sessions that finished in November 2020 has been provided for review. Once reviewed, the Parish Council will be able to provide feedback for inclusion in the next phase of the process, known as the "design" phase of proposed amendments to flight paths. These proposals will be subjected to public consultation, providing a further opportunity for Parish Council to input its views.

#### 22/24. REPORTS FROM COUNTY COUNCILLOR AND DISTRICT COUNCILLOR

Cllr I Devonshire (EHC) reported that he had also spoken to East Herts Council's Head of Planning regarding the Nature Reserve and had been informed that she is committed to exploring enforcement activity. However, no details could be provided regarding this activity as this is an active investigation.

In relation to Plot 12A Moor Place Park, Cllr I Devonshire (EHC) reported that non-compliance with enforcement action taken was being followed up.

Cllr D McDonald queried what enforcement action had taken place and Cllr I Devonshire (EHC) agreed to find out.

It was noted that options still remain for enforcement action to be escalated including to the courts.

## 22/25. RESIDENTS' COMMENTS

### (i) Nature Reserve

A resident sought clarity on their understanding on the status of the sale of the Nature Reserve plots and asked why the Parish Council did not buy the land.

Cllr I Hunt stated that the auctioning of plot lands was not a well regulated area. The Parish Council had expressed an interest in buying the land last year but were unable to match the highest bidders at that time. In addition, he reported that he had discussed with the landowner what type of buyers would be unsuitable. The landowner had indicated they were looking to sell it as a nature reserve or similar usage to villagers, but the land was subsequently sold to a corporate body.

In response to further questions, Cllr I Hunt stated that the draft Neighbourhood Plan had protections within it for this land, even if the village boundary is extended around Nimney House. He highlighted that the risk is that the nature reserve plots become cluttered.

It was suggested that the previous landowner would not be selling the land if it had development potential.

### (ii) The Bull Inn

Concerns were raised by a resident on the future of The Bull Inn given the planning application for housing behind it. The resident highlighted that 40-50 objections had been made against this application but felt that East Herts Council (EHC) would have difficulty refusing the application since this site was included in the draft Neighbourhood Plan.

Cllr I Hunt stated that whilst the Parish Council supports development on this site, it did object to the planning application. In addition, he believed that the pub was sustainable with this development, highlighting that it is not possible to remove the site allocation from the draft Neighbourhood Plan as this is currently being examined. It was noted that the status of the draft Neighbourhood Plan meant that it was not yet a material factor in EHC's decisions.

In respect of a further suggestion to replace in the Neighbourhood Plan the site behind The Bull Inn with the land at the old Barn School, Cllr I Hunt commented that the Parish Council needed to see what the Examiner says regarding developments on these sites.

### (iii) Seat

A resident highlighted that the seat, believed to be a coronation bench, for the main road bus stop at the bottom of Station Road had a build-up of leaves. The Chair agreed to look into this.

## 22/26. THE ALMSHOUSE CHARITY

The Chair reminded those present that 4 of the 7 Trustees are appointees of the Parish Council and serve a term of 4 years. The term for two of the Trustees was about to end and they had agreed to be re-appointed for another term. On behalf of the Parish Council, thanks were expressed to Charlie Limmer and Ann Moore for their continuing service.

RESOLVED to appoint the following candidates as Parish Council appointed Trustees to the Almshouse Charity:

- Charlie Limmer; and
- Ann Moore.

## 22/27. FINANCIAL

### (i) Payment of Accounts

RESOLVED that the accounts, as shown below, be duly authorised for payment.

#### **PAYMENT OF ACCOUNTS - FEBRUARY 2022**

Ref	Payable to	For	Amount
OP121	MH Sports Association	Pavilion electricity	302.15
OP122	MH Sports Association	Insurance costs for Pavilion, Sports Pavilion & Equipment shed + public liability	1,300.00
OP123	MH Village Hall	D Billson - Pavilion cleaning (January)	80.00
SO	M Windmill	Litter Agency (February)	334.00
OP124	FM Forth	Clerk's salary (February)	597.13
Total payments			<b>£2,613.28</b>

Payments will be authorised online following the meeting by Cllr I Hunt and Cllr B O'Neill.

### (ii) Financial Statement

The financial statement for 2021/22 to date was received. The summary financial position is detailed overleaf and comparison to the annual budget is attached at Appendix B. No matters were highlighted by the Clerk.

In response to a question, the Clerk confirmed that her January salary was outstanding in the financial report as the report had been produced prior to this payment being made.



## SUMMARY FINANCIAL POSITION AS AT 27 JANUARY 2022

	Parish Council £	Burial Authority £	Total £
Opening balance - 1 April 2021	81,111.38	24,744.29	105,855.67
Income	85,112.49	2,290.00	87,402.49
Expenditure	- 66,930.87	- 2,795.48	- 69,726.35
Closing balance	<u>99,293.00</u>	<u>24,238.81</u>	<u>123,531.81</u>

Note: the following items are included in the Total Fund Balances:

(1) Section 106 receipts for sport or recreation	1,570.00
(2) Streetlights	11,100.00
(3) Open spaces	18,650.00
	<u>31,320.00</u>

### 22/28. PLANNING

RESOLVED that the minutes of the Planning Committee meeting held on 11<sup>th</sup> January 2022 be received and the decisions taken be ratified.

### 22/29. URGENT BUSINESS

None.

### 22/30. CLERK'S INFORMATION

None.

In response to a question, the Clerk confirmed that the response to the Freedom of Information request was on track to be sent by the deadline.

### 22/30. DATE OF NEXT MEETING

The next meeting will be Tuesday 1<sup>st</sup> March 2022 at 7:30 pm at the Green Tye Mission Hall, with refreshments beforehand from 7 pm.

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There being no further business the meeting closed at 8:38 pm.

**Nature reserve at Moor Park Place:**

- **lack of enforcement of the planning condition for a nature reserve at Moor Park Place with East Herts Council's Planning Enforcement team; and**
- **sale of the land.**

Cllr D McDonald provided the following update:

In October 2020, East Herts Council (EHC) stated it would continue to monitor the position regarding the possibility of taking action to enforce the planning conditions in relation to the Nature Reserve at Moor Park Place and the Parish Council would be informed as and when decisions were made.

Subsequently, the Plot was put on the market. The Parish Council registered its interest and considered the viability of purchasing the plot.

At the end of August 2021, as a number of prospective buyers had put in bids in excess of the asking price, the Parish Council opted to not pursue buying the land and took up a watching brief. On 4<sup>th</sup> October 2021, the agents advised that an offer had been accepted.

In December 2021, it became apparent that either that sale had fallen through or the larger of the two plots had been “flipped” as it was now being marketed for sale by auction by new agents (the same agents which marketed the land on the other side of Kettle Green Lane) in individual plots of 0.35 acres for £50,000 per plot – potentially over 20 plots in total.

The land is protected from development (Rural Area, Conservation Area, outside village boundary, locally listed historic park or garden, in the Neighbourhood Plan as proposed local Green Space) but the fact that the land is being marketed for sale as plots underscores the dangers of EHC's failure to enforce the original planning conditions, which required the land to laid out as a nature reserve.

On the 21<sup>st</sup> December, an email was sent to EHC's Head of Planning to protest their failure to take action in respect of both this matter and Plot 12A and expressing the Parish Council's intention to raise concerns about the lack of effective enforcement at a higher level.

There has been intense activity regarding this matter in January in response to the imminent threat of inappropriate development. In summary:

1. contrary to what the Parish Council had been informed previously, we were finally informed by Head of Planning that EHC regarded the question of whether to take enforcement action as “complicated” and that Planning had “as yet...not made a decision on the best course of action. Any decision will need to be proportionate and in line with government and legal advice”. We have not accepted that as an explanation in circumstances in which the marketing of the land for sale in plots is ongoing. We are continuing to press for enforcement action to be taken;

2. Plot G (the plot in front of the entrance gate) was sold by auction by Barney Estates on 27<sup>th</sup> January. Another auction (through Barnard Marcus) is scheduled for 2<sup>nd</sup> February and a further one on 10<sup>th</sup> February by Barney Estates;
3. we have been in correspondence with both selling agents (Barney Estates (BE) and Barnard Marcus (BM)) and put them on notice of the various planning and development restrictions which attach to the land (including the original planning conditions which required the land to be developed as a nature reserve), and held them to account for encouraging buyers in their marketing material to consider the land as having development potential. Our correspondence with both BE and BM has been effective. BM have changed their marketing material which no longer refers to the land as having development potential. We have sought undertakings from them not to repeat such claims in any future marketing material or make the claims orally to prospective buyers. We also have put it to them that the very marketing of the land in plots is inconsistent with the land's planning status because selling in plots is bound to result in the erection of fences and other physical boundaries which would be inconsistent with the preservation of the site as a nature reserve. BE have responded to say that it has "made arrangements for an appropriate announcement to be published" in respect of the restrictions on development. We have asked for full details to be provided including details of all of their updated marketing material;
4. we have contacted Julie Marson MP, explained the situation to her and encouraged her to intervene. She has been copied into our correspondence with EHC and with the agents. With our encouragement, she has been in direct contact with Head of Planning. We intend to seek a meeting with Mrs Marson to explain our concerns to her face to face, hopefully cement her support and discuss how she can help get our evidence before Michael Gove's (Secretary of State for Levelling Up, Housing and Communities) review into Planning; and
5. we are researching the possibility of EHC making use of what is known as an Article 4 direction. An Article 4 direction is a direction which enables the local planning authority (EH) (or the Secretary of State) to withdraw specified permitted development rights across a defined area. If available in the present case, an Article 4 direction might prevent development which, statutorily, would otherwise be permitted.

# MUCH HADHAM PARISH COUNCIL

## YEAR ENDED 31 MARCH 2022

### BUDGET TO ACTUAL COMPARISON AS AT 27 JANUARY 2022

(Parish Council only)	FULL YEAR	YEAR TO DATE	COMMENT
	2022	2022	
	BUDGET £	ACTUAL £	
<b>INCOME</b>			
Precept	42,000.00	42,000.00	
PWLB Loan Advance (Parish lights)	-	25,000.00	
Litter Agency	4,275.00	4,272.66	
New Homes Bonus	9,097.00	-	Bonus no longer being paid
Pavilion income	7,020.00	7,946.00	
Grant	300.00	277.50	
Other	60.00	2,775.12	Sale of old streetlights
VAT reclaimed	5,000.00	2,841.21	
<b>TOTAL INCOME</b>	<b>67,752.00</b>	<b>85,112.49</b>	
<b>EXPENDITURE</b>			
Staff costs	7,200.00	6,568.43	
PWLB loan repayment - Pavilion	5,387.46	5,387.46	
PWLB loan repayment - Parish lights	2,768.00	-	First loan repayment will be in the next financial year
Administration costs	3,100.00	2,292.52	
Insurance	3,250.00	2,022.25	
Audit fees	830.00	745.00	
General Data Protection Regulation compliance	35.00	35.00	
Election expenses	-	-	
Maintenance of open spaces	13,400.00	8,467.02	
Litter Agency	4,008.00	3,674.00	
War memorial (lighting and maintenance)	700.00	690.49	
Street lighting (energy and maintenance)	2,000.00	-	
Pavilion	3,500.00	4,819.38	Additional maintenance work undertaken
Grants and donations (Section 137 expenditure)	1,000.00	900.00	
Sport and recreation grants (Section 106 funded)	-	3,000.00	
Neighbourhood Plan	-	90.00	
Revenue - Maintenance of Village sign	4,000.00	3,665.00	Cost of refurbishing sign plus new post and installation
Revenue - Maintenance of bus shelters	8,000.00	10,439.09	£1,463.09 over approved quote of £8,976 due to additional cost of materials and labour, plus a pavement licence
Capital - Playground equipment	8,000.00	5,578.53	Cost less than expected
Capital - Roller shutter at Pavilion	-	1,760.00	
VAT	5,000.00	6,796.70	
<b>TOTAL EXPENDITURE</b>	<b>72,178.46</b>	<b>66,930.87</b>	