

MUCH HADHAM PARISH COUNCIL

MINUTES of the Much Hadham Parish Council meeting held on Tuesday, 1st March 2022, in the Green Tye Mission Hall, at 7:32 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 6 members of the public.

22/32. APOLOGIES FOR ABSENCE

Apologies for absence were received and approved from Cllr B O'Neill.

22/33. DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATION

None.

22/34. NOTIFICATIONS OF URGENT BUSINESS

None.

22/35. CHAIR'S ANNOUNCEMENTS

The Chair welcomed everyone to meeting and thanked residents for attending.

The Chair reported that no election had been called for the Cllr vacancy therefore the Parish Council could now co-opt, noting that it would be good to have a person from the hamlets, with social media skills being a bonus.

Finally, the Chair highlighted that the Parish Council had applied for a road closure for the Queen's Jubilee, from Malting Lane to Church Lane, on Sunday 5th June. As yet, it was not known what the Perry Green and Green Tye Preservation Society had planned to celebrate this event.

22/36. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the last meeting held on 1st February 2022 be accepted as a correct record of the proceedings and be signed by the Chair after the meeting.

22/37. REPORTS ON OUTSTANDING MATTERS AND RESOLUTIONS

The Chair highlighted that there was nothing new on the report on outstanding matters and resolutions which had been circulated prior to the meeting.

The Chair provided the following updates:

- repair of noticeboards – quote was expected for the April meeting with work to be undertaken during April and May; and
- defibrillator – ongoing contact with the school. The school is deciding whether to share a defibrillator with the Parish Council, purchase their own or simply rely on the Surgery in such an emergency.

22/38. MEMBERS' REPORTS

(i) Community

Recreation Ground

Cllr K Twort reported that there was nothing to currently report on as the next Sports Association meeting was taking place next week. In addition, he confirmed that the contractor was still working on the Pavilion repairs, noting that no bills had been received as yet.

The Chair reported that some guttering had come down in the recent storms and Cllr K Twort agreed to request the contractor to repair this.

Cllr D McDonald reported that work was ongoing in terms of obtaining the quotes for the lighting at the Pavilion car park.

Village Hall

Cllr Mrs K Hamilton reported that the Management Committee Chair had provided the following update:

- progress has been made on various maintenance tasks;
- side curtains for the main hall had been ordered;
- hall usage was increasing;
- WI representative had changed after 38 years and the Bookings Secretary had signalled her intention to step down after 28 years. An online booking system will be explored before actively seeking to replace the Bookings Secretary; and
- the AGM will be held on Tuesday 12th April at 8 pm. This will be preceded by cheese and wine from 7:30 pm as a thank you to all those who support the village hall. All Cllrs are invited, not just the representatives.

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

General

Cllr S Smith commented that, in common with the rest of the UK, the last month had seen the village hit by three storms, leaving their mark with many roads and lanes blocked with falling trees and branches. Thankfully, Herts County Council (HCC) and East Herts Council responded remarkably well to the challenge and had cleared the way in most places although some debris remains visible by the roadside in a couple of areas.

Public Rights of Way

Cllr S Smith provided the following update:

- Footpath 11 Diversion Order – 5 objections from residents had been received and a decision was being made as to whether to refer this to the Planning Inspectorate to examine the consultation or to change the ramp slope, and the lines and widths, and readvertise as a new Diversion Order;
- blocked trees - have been, or are being, cleared from:
 - Bridleway 38 just by the bridge from Danebridge Road; and
 - Byway 42 by the side of the Prince of Wales pub in Green Tye;
- bridge on Footpath 20 - remains closed and Herts County Council Highways appear increasingly reluctant to take on responsibility for liaising with the various parties involved; and
- Bridleway 52 – damage done by vehicles is to be repaired, either by the landowner or by HCC.

In response to a question relating to Footpath 20, it was noted that residents could write to HCC and it would be raised with Ward Cllr G McAndrew (HCC).

(iii) Highways (inc street lighting)

Cllr S Smith reported that no meeting had been arranged with Highways, and that pressure needed to be applied to Highways as numerous potholes existed on virtually all roads and lanes in the neighbourhood.

In addition, Cllr S Smith reported that he had attended a Zoom meeting regarding the merits of 20 mph speed limits in both rural and urban areas in Herts, highlighting that there is a nationwide initiative to introduce more such limits mainly for safety reasons. He was in support of the many requests made, now and in the past, for the full length of the main road through the village being a 20 mph zone, not just the school section on Tower Hill.

Following discussion, it was noted that this may not be feasible.

The Chair highlighted that the street lighting project was substantially complete. In addition, with Cllr G McAndrew (HCC) currently being away, outstanding matters will be pursued via email.

(iv) Media

Cllr S Smith highlighted that the key items which had been posted on social media related to forthcoming road closures, storm warnings, a lost cat and the current Cllr vacancy. Statistics for both Facebook and Twitter were provided.

(v) Neighbourhood Plan

Cllr I Hunt reported that the Examiner had made an unaccompanied visit to the parish on the 31st January and followed it with four questions which had been promptly answered.

In summary:

- two questions identified ambiguities in the text of the Plan and these were clarified;
- one queried whether policy MH H7 for the South Plot at Culver should be deleted as being no longer relevant now that the site is under development and, after confirming with East Herts Council that they would be content too, this was agreed; and
- the final question related to the publicity given to the examination and a list of all the actions taken around that had been provided.

The full exchange of correspondence has been published on East Herts Council's website.

Cllr I Hunt also reported that one consequence of the development of an extra (third) house at Culver was that the Plan will now be to deliver 55 houses rather than the minimum of 54, assuming the Examiner makes no changes affecting the total.

Finally, Cllr I Hunt stated that the Examiner had confirmed that he was not expecting the Parish Council to respond to any of the responses to East Herts Council's Regulation 16 consultation of 12 months ago. In the absence so far of any further questions, he was hopeful that the Examiner would move on to provide a draft of his modifications to the Plan shortly.

(vi) Security

PCSO Leon de Bruyn attended the beginning of the meeting and provided, the following update:

- Storm Eunice had kept the police busy with downed trees causing damage, floods and the necessity to close a number of roads;
- reported crime was low, with the following matters across the area:

- criminal damage of a BT Telephone exchange in the Pelhams;
- theft from a motor vehicle on the Hadham Industrial Estate;
- front fog light trim was removed from a vehicle parked in the driveway of a residential property in Kingham Road, Wareside; and
- damage had been caused to cropped fields at a farm in Wareside;
- visits to local schools are back in place, with the mini police scheme back up and running;
- intend to run a communications event in April outside Much Hadham fire station that will involve other agencies as well as the police. A similar event will be run at the Little Hadham Farmers Market on the 8th April; and
- all residents are encouraged to join OWL.

In response to a question regarding the number of burglaries 5-6 weeks ago in the centre of the village, PCSO Leon de Bruyn confirmed that burglaries across the area had spiked and dropped off, indicating that those responsible had moved on out of the area.

Once the date for the Much Hadham Fire Station event is confirmed, this will be publicised in the parish magazine.

(vii) Stansted Airport

Cllr D McDonald stated that there was nothing further to report at this stage as he was waiting on information.

(viii) 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 since the February meeting are:

- East Herts Council's (EHC) Head of Planning has written to confirm that:
 - EHC's legal team had advised that there were no grounds for enforcement action to be taken;
 - the erection of gates, walls, fences etc within the site up to a height of 2m was classed as "permitted development"; and
 - it was "not considered that an Article 4 direction is necessarily the right approach in this case, at the present time";
- response has been sent to EHC's Head of Planning rebutting their lengthy and technical explanations for their decisions (outlined above);
- more plots have been sold; and
- to focus on the need to counter the specific threat posed by the subdivision of the land and the following ways are being considered:
 - by seeking to ensure that sellers and auctioneers properly describe the land's status and its lack of potential for development;

- by applying to make the land an Asset of Community Value;
- by seeking to deter and constrain buyers; and
- to approach third party organisations for help or support.

The Chair thanked Cllrs I Hunt and D McDonald for their efforts, noting that this work had been ongoing for a number of years.

In response to a question, it was confirmed that the sale of plots is monitored but it was not clear what bids had completed as some plots thought to be sold had been readvertised for sale.

The Bull Inn Asset of Community Value (ACV)

Cllr I Hunt reported that after the February meeting, three residents had come forward to help progress the Bull Inn ACV and work was underway on this. He highlighted that the Parish Council's decision to seek designation had been made a number of years ago but momentum had been lost so the actual applications had not been made at that time.

In addition, Cllr I Hunt stated that The Bull Inn landowners had reaffirmed their support for this ACV and he thanked the residents for their support.

22/39. REPORTS FROM COUNTY COUNCILLOR AND DISTRICT COUNCILLOR

Cllr I Devonshire (EHC) had given his apologies for this meeting. There were no reports from either Cllr I Devonshire (EHC) or Cllr G McAndrew (HCC).

22/40. RESIDENTS' COMMENTS

(i) Neighbourhood Plan

A resident reported that a number of residents had recently written to Cllr I Hunt. Their letter outlined their concerns that the Parish Council was pressing ahead with the Neighbourhood Plan when they think it may not produce the best outcome for Much Hadham. The reason being that the land at the rear of Hill House had become available a few weeks after the Neighbourhood Plan was submitted to East Herts Council. The residents consider that the Neighbourhood Plan Steering Group must have been aware of the imminent prospect of a sale to the developer and this site was the most popular.

It was also noted by the resident that the developer had submitted, as part of East Herts Council's Regulation 16 consultation, that 30 houses could be built on this site, with 40% being affordable housing as well as the potential for a strip of land to be given to the school. It was considered that this should have led to the Plan being revisited. These residents were also concerned for the viability of The Bull if its site were developed and considered it could be replaced by the land behind Hill House.

Cllr I Hunt responded that, prior to the submission, this site was not available as it was owned by the executors of the estate. In addition, there were issues with this site, for example, access to Tower Hill may not be granted as it would be within the curtilage of a listed building. He also highlighted that during East Herts Council's Regulation 16 consultation, only 1 person objected to The Bull Inn site and no-one had asked for more than 54 houses to be built.

Cllr I Hunt concluded that whilst the current Neighbourhood Plan may not be perfect, it is more risky not to have it in place and it does cover more than just housing with environmental benefits which would be lost if it was pulled from the process now. He felt there were more grounds in favour of continuing the process than withdrawing the Plan. In addition, it is possible that the Examiner may have concerns regarding the existing site allocations, which we should wait to hear of first. It should also be remembered that a referendum is still required before the Plan is adopted.

Another resident reported that the new owners of the land at Hill House had told him they viewed it as a strategic site, not necessarily held for immediate development. Furthermore, he was under the impression, with regard to potential access on to Tower Hill, another householder owned part of that strip too.

22/41. RISK REGISTER

RESOLVED to approve the Parish Council Risk Register.

22/42. ASSETS OF COMMUNITY VALUE

Cllr I Hunt reported that during discussions with East Herts Council regarding the "Nature Reserve", the suggestion was made to designate this land as an Asset of Community Value. Whilst it would not prevent the sale process, it could make potential buyers wary as a charge would be placed on the property at the Land Registry for a period of 5 years.

In addition, Cllr I Hunt stated that the Moor Place Heritage Group were supportive of this approach and had agreed to undertake the bulk of the work required. It was noted that it may be hard to demonstrate the community value of this land since public access is limited.

RESOLVED to nominate the "Nature Reserve", Kettle Green Lane (otherwise known as Ley field) for designation as an Asset of Community Value.

22/43. FINANCIAL

(i) Payment of Accounts

The Clerk highlighted that whilst the final sum for the lighting capital project was known, the invoice had not yet been received from Herts County Council (HCC). She also highlighted

that the final cost was £486.95 + VAT above the cost quoted in the business plan for the project.

The Clerk also reported that the 2021/22 street lighting charge was not yet known but it was hoped that HCC would issue the invoice before the end of the financial year.

RESOLVED that the accounts, as shown below, be duly authorised for payment. It was noted that the Herts County Council lighting capital payment would not be made until the invoice was received.

RESOLVED to delegate authority to Cllrs to approve the payment of the 2021/22 street lighting charge to Herts County Council by email.

PAYMENT OF ACCOUNTS - MARCH 2022

Ref	Payable to	For	Amount
OP125	MH Village Hall	Share of 1100 ltr bin costs (used by Litter Picker)	86.97
OP126	BA MH Landscapes	Maintenance at burial grounds Apr - Dec '21	1,620.00
OP127	N Labram	Replacement shelving Phone Book Box	34.57
OP128	Lynne Mills	Website hosting and domain name (NP)	143.12
OP129	PR Newson Ltd	Tree survey and reports	300.00
OP130	Green Tye Mission Hall	Hall hire (1 Mar 22)	35.00
OP131	MH Village Hall	D Billson - Pavilion cleaning (February)	80.00
OP132	FM Forth	Clerks expenses 6 Jan 22 to 23 Feb 22	189.48
OP133	Herts County Council	Lighting project (capital)	52,220.00
OP134	Herts County Council	Street lighting annual charge 2021/22	Note 1
SO	M Windmill	Litter Agency (March)	334.00
OP135	FM Forth	Clerk's salary (March)	597.13
Note 1: Invoice not yet available			Total payments <u>£55,640.27</u>

Payments will be authorised online following the meeting by Cllr I Hunt and Cllr S Smith.

(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.

SUMMARY FINANCIAL POSITION AS AT 1 MARCH 2022

	Parish Council £	Burial Authority £	Total £
Opening balance - 1 April 2021	81,111.38	24,744.29	105,855.67
Income	85,892.56	2,290.00	88,182.56
Expenditure	- 121,123.14	- 4,243.48	- 125,366.62
Closing balance	<u>45,880.80</u>	<u>22,790.81</u>	<u>68,671.61</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	-
(3) Open spaces	18,650.00
	<u>20,220.00</u>

22/44. PLANNING

RESOLVED that the minutes of the Planning Committee meeting held on 1st February 2022 be received and the decisions taken be ratified.

22/45. BURIAL AUTHORITY

The receipt of the minutes of the Burial Authority meeting held on 15th February 2022 was deferred until the next meeting.

22/46. URGENT BUSINESS

None.

22/47. CLERK'S INFORMATION

The Clerk reported on the following matters:

- since the last meeting, responses to two Freedom of Information requests had been issued. The requests related to the "Nature Reserve" and Hill House and land to the rear; and
- the Boundary Commission had issued its draft recommendations for the ward boundaries in East Herts. As previously reported by EHC Ward Cllr Ian Devonshire, there was effectively no change to Much Hadham as a sliver relating to Thorley had

now been included with Thorley. The draft recommendations were being consulted upon until the 9th May.

22/48. DATE OF NEXT MEETING

The next meeting will be Tuesday 5th April 2022 at 7:30 pm at the Much Hadham Village Hall.

There being no further business the meeting closed at 8:42 pm.

NATURE RESERVE

Cllr D McDonald provide the following update:

At the February meeting, I reported that we still were waiting to hear from East Herts Council (EHC) Planning Department whether it intended to take action to enforce the original planning conditions attaching to the nature reserve; that in the meantime the land was being marketed for sale by auction; that we had persuaded both selling agents (Barney Estates and Barnard Marcus) to change their marketing material to eliminate any reference to the land as having development potential, and ensure that it referred to the planning conditions affecting the land; and that we had managed to involve Julie Marson MP.

What has happened since then?

The principal development has been that EHC's Head of Planning has written to us to confirm that, firstly, EHC's legal team had advised that there were no grounds for enforcement action to be taken; secondly, that the erection of gates, walls, fences etc within the site up to a height of 2m was classed as "permitted development"; and thirdly that it was "not considered that an Article 4 direction is necessarily the right approach in this case, at the present time".

In the meantime some more plots have been sold.

The explanations given for EHC's decisions are lengthy and technical. We have not been persuaded by them and we have replied with a detailed rebuttal. I'm not going to try to go through all of the points they have raised, but by way of example:

- they have claimed that the condition relating to the nature reserve was not a requirement to create a nature reserve as such, but rather a requirement that, if one were to be created, it was required to be as per the submitted designs. They also claim that because there no time limit was specified for the work on the nature reserve to start, the owner is not currently in breach (and, by implication one might add, never would be);
- we have pointed out that the argument that there can be no breach because the owner in effect never was required to start the work which the planning condition specifically required it to do would be a bizarre and entirely counter-intuitive result. We also have argued that even if EHC's analysis was correct work on creating the nature reserve has actually started with the creation of the pond; and therefore (on the basis of what appears to be EHC's own logic) it must now be seen through to completion within a reasonable period of time – which any sensible analysis has expired; and
- EHC have also claimed that an Article 4 direction preventing permitted development such as fencing would be difficult to get approval for. We think otherwise and, in any

case, one of the planning conditions required that fencing not be put up – a point EHC seem to have overlooked.

The overall impression of EHC's email, which is entirely consistent with what we have experienced before with the Planning Department, was one of negativity and defensiveness, rather than positivity and evidencing a desire to protect the integrity of the site.

We await the Head of Planning's response. In the meantime, and in parallel, we have been focussing on the need to counter the specific threat posed by the subdivision of the land. Our current thinking is to do this in the following ways:

1. by seeking to ensure that sellers and auctioneers properly describe the land's status and that its potential for development. As I have mentioned, we already have succeeded in persuading both selling agents to change their marketing material in this regard and we will continue to monitor their material going forward;
2. by applying to make the land an Asset of Community Value. Cllr I Hunt has been dealing with this and has been in touch with members of the Moor Place Heritage Group which has agreed to take on the burden of making the relevant application;
3. by seeking to deter and constrain buyers:
 - by, where possible contacting new buyers and providing them with a summary of what they can and cannot do with the land;
 - by being vigilant and as soon as there is evidence of inappropriate development taking place applying to East Herts Council for an Article 4 Direction which, if available, would prohibit development which might otherwise be permissible under planning law) notwithstanding EHC's currently stated reluctance to use this remedy; and
 - by seeking to persuade EHC to enforce planning Condition 8 of planning application 3/12/1075 by which development rights for fences and other enclosures was withdrawn, which we believe that EHC have overlooked; and
4. Fourthly - (and finally) we propose to approach third party organisations for help or support Those we currently are considering include:
 - Campaign to Protect Rural England (CPRE) - Herts;
 - Hertfordshire Garden Trust;
 - Moor Place Heritage Group;
 - experts in our community; and
 - other parishes.

MUCH HADHAM PARISH COUNCIL

YEAR ENDED 31 MARCH 2022

BUDGET TO ACTUAL COMPARISON AS AT 1 MARCH 2022

(Parish Council only)	FULL YEAR	YEAR TO DATE	COMMENT
	2022	2022	
	BUDGET £	ACTUAL £	
INCOME			
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	8,726.00	
Grant	300.00	277.50	
Other	60.00	2,775.19	Sale of old streetlights
VAT reclaimed	5,000.00	2,841.21	
TOTAL INCOME	67,752.00	85,892.56	
EXPENDITURE			
Staff costs	7,200.00	7,165.56	
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	2,416.64	
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	8,838.56	
Litter Agency	4,008.00	4,008.00	
War memorial (lighting and maintenance)	700.00	690.49	
Street lighting (energy and maintenance)	2,000.00	-	
Pavilion	3,500.00	4,899.38	Additonal 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	-	209.27	
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	
Capital - Parish lights	-	43,516.67	Final cost
VAT	5,000.00	15,846.24	
TOTAL EXPENDITURE	72,178.46	121,123.14	