

# ARDLEIGH PARISH COUNCIL



## Minutes of the Meeting of Ardleigh Parish Council held on Monday 11 December 2023 at 7.30pm at Ardleigh Village Hall.

**PRESENT:** Cllrs Tim Barrott (Chair), James Blyth, Helen Fontaine, Jayne Marshall, Carolyn Mason, Richard Talbot, Emma Thrower, and Martin Whiteley  
Officers, Clerk, Rachel Fletcher, and Deputy Clerk, Rachel Edwards (Minutes)

**ALSO IN ATTENDANCE:** 2 members of the public were present – both in person, plus Cllr Fairley, Tendring District Council (TDC) and Cllr Guglielmi, Essex County Council (ECC), in person

<b>23.164</b>	<b>Chair's Welcome</b> The Chair welcomed everyone to the December meeting.
<b>23.165</b>	<b>Apologies and reasons for absence</b> Apologies were received from Cllr Jonathan Waters and personal reasons given were <b>accepted</b> by the meeting.
<b>23.166</b>	<b>Public participation session relating to items on the agenda</b> Two issues were raised by members of the public: <ul style="list-style-type: none"> <li>Plains Farm Close and situation there with rubbish, parking, overgrown trees. Cllr Fairley read an email from Andy White, TDC, relating to the issue. Cllr Guglielmi stated ECC ordinarily had responsibility for maintaining trees on Highways land but in this case, it was the responsibility of TDC. He requested that the member of the public in attendance note details of vehicles fly tipping if possible. There was also a problem with vehicles being parked there during the working day. Potential site for CCTV cameras to be explored.</li> <li>Dead Lane/ Colchester Road. Lorries were causing damage to verges and driving over fire hydrants. Petrol tankers leaving the garage also caused problems. The resident was concerned the hydrants would be damaged which could cause flooding. Lack of sufficient drainage was causing water to run down the road. The ditch needed to be cleared; the resident was unable to get any authority or the water company to take responsibility. This issue had been reported to Highways. Cllr Guglielmi had previously met with Highways to look at this area. The resident also mentioned a problem with speeding and requested speed cameras or VAS in this area.</li> </ul>
<b>23.167</b>	<b>Declaration and Register of Interests and Dispensations</b> Interests were declared by Cllrs Fontaine and Talbot as trustees of the Millennium Green Trust.  It was noted that dispensations remained in place in respect of proposed pylons, substations, windfarms and for legal action relating to the food distribution centre. See Minute number 23.122 for full details.
<b>23.168</b>	<b>Minutes of meetings held on 13 November 2023</b> The minutes of the meeting were <b>approved</b> as a true and accurate record.
<b>23.169</b>	<b>Planning</b> Applications published, received, validated and/or decided since the last meeting were noted. Comments on new applications and appeals were agreed as outlined below. It was noted that, where appropriate, reference would be made to the Neighbourhood Plan policies/Village Design Statement when commenting on planning applications. See <a href="https://www.tendringdc.gov.uk/planning/planning-applications">https://www.tendringdc.gov.uk/planning/planning-applications</a> for current applications. It was noted that weekly lists provided by Tendring District Council (TDC) were sent to Councillors.
<b>Applications</b>	<a href="#">23/01641/FUL</a> Appearance and layout amendments to the erection of one dwelling granted under planning application 21/01769/FUL. Guide Post Farm, Dead Lane, Ardleigh CO7 7PF <b>The</b>

	<p><b>Council wished to comment that the design may not comply with the emerging Neighbourhood Plan and Village Design Statement.</b></p> <p><a href="#">23/01647/WTPO</a> Oak Tree, 50% reduction. Bullock Wood (part of) Land to The East of Ipswich Road, Ardleigh</p> <p><a href="#">23/01651/TCA</a> Fell and stump grind - 1 Scots Pine and 1 Rowan. 21 Ardleigh Court, Ardleigh CO7 7LA</p> <p><a href="#">23/01652/WTREX</a> Fell and stump grind - 1 Beech, 1 Sycamore and 1 White Beam. 21 Ardleigh Court, Ardleigh, CO7 7LA <b>The Council requested alternate trees are planted to replace those removed for both these applications.</b></p> <p>Discussion about the need for the TDC Tree Officer to visit the sites where work on trees was proposed.</p> <p><a href="#">23/01555/COUNOT</a> Prior Approval Application under Part 3, Class Q of the Town and Country Planning Order 2015 for conversion of agricultural building into one dwelling. The Barn, Chapel Lane, Ardleigh <b>The Council wished to object and to highlight the importance of alignment with local planning policies. This would be within the area of the Garden Community which may complicate the position. Had the application been for a new build and not a proposed conversion of an existing building it would not comply with the emerging Neighbourhood Plan and Village Design Statement.</b></p> <p>There was a discussion about the large number of Class Q applications being received which would be against the local plan if they were an application for a new build. Cllrs Fairley and Guglielmi confirmed these buildings were checked to confirm the veracity of the applications and existing uses.</p> <p><b><i>Applications received since the date of the Agenda:</i></b></p> <p><a href="#">23/01710/FULHH</a> Proposed alterations and conversion of existing outbuilding to residential annexe for the ancillary use of the existing residential dwelling at Kalm Oaks. Kalm Oak Nursery, Hunters Chase, Ardleigh, CO7 7LW <b>The Council wished to object. The workshop had been recently erected and was large and not considered in keeping with the rural location. It was some distance from the existing dwelling could effectively become a separate new residence (which the council would not support). The site was outside the settlement development boundary; the emerging Neighbourhood Plan and the Council did not support further infill development on former Land Settlement Association properties. Should permission be granted, then clear restrictions would be needed to ensure that the building did not become a dwelling in its own right and was permitted only as a permanent annex which was ancillary to the main dwelling.</b></p>
<b>Other/ Appeals</b>	<p>To note or consider any other applications including enforcement issues.</p> <p>None.</p>
<b>23.170</b>	<b>Other Planning and Infrastructure issues</b>
23.170.1	<p><b><i>Tendring/Colchester Borders Garden Community (and related issues).</i></b> It was noted that a large planning application was likely to be made next summer. Latimer had indicated the design and numbers of dwellings in the initial phases may change from earlier proposals.</p> <p>The Council <b>agreed</b> the Clerk should reiterate earlier comments to the masterplan consultation in response to the latest consultation.</p>
23.170.2	<p><b><i>Neighbourhood Plan (and related issues)</i></b> It was noted that TDC had now initiated the consultation with key stakeholders which they missed out earlier in the process and had decided that this needed to be completed before the further public consultation. This meant that this 'pre-consultation' would close on 18 December. The Council expected to hear from TDC in early January relating to the modifications made by the Examiner.</p> <p>It was hoped that the referendum would be held at the same time as the elections on 2 May 2024 (if not before).</p>

23.170.3	<p><b><i>Pylons, Substations, Windfarms and related</i></b> It was noted that a Sealink consultation was underway <a href="https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects/sealink/about-sea-link">https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects/sealink/about-sea-link</a>. The campaign against the pylons had refocussed due to the latest developments. Sir Bernard Jenkin had stated there was an opportunity to support the idea that North Falls and Five Estuaries link with Sealink, potentially removing substations (and pylons) from Ardleigh. The main campaign group wanted all parties to continue to support the main campaign which covered the whole Norwich to Tilbury route. Sir Bernard Jenkin had a recent meeting with ministers and funding had been released to explore offshore options.</p> <p>There was a discussion in which it was confirmed that the Council was to continue to push for offshore options for the whole route.</p> <p>The Council <b>agreed</b> the Clerk would circulate comments for Councillor confirmation before sending.</p>
<b>23.171</b>	<b>Highways, Public Rights of Way (PRoW) and related issues</b>
23.171.1	<p>To update the Council options relating to overgrown hedges on private land (attachment).</p> <p>The Council discussed the paper drafted by the Clerks on managing hedge issues. There had been six complaints from residents in recent weeks. Cllr Guglielmi supported the idea of the Council sending letters which then strengthens the case if needed to be enforced by Highways. The Council <b>agreed</b> a letter could be sent by officers a few times to ascertain effectiveness.</p> <p>The cameras in the village were identified as being used by National Grid for survey purposes. The permits needed for the cameras to have been sited had been queried by Cllr Fairley.</p> <p>Highways were due to start work in The Street in December. The drains were blocked, Cllr Barrott requested Cllr Guglielmi contact Highways to clear the drains whilst the work was being done.</p> <p>Note that updates on highways, public rights of way and related issues usually take place outside the meeting and should be reported direct <a href="http://www.essexhighways.org/tell-us">www.essexhighways.org/tell-us</a>.</p>
<b>23.172</b>	<b>Community Projects and assets</b>
23.172.1	<b><i>Community Projects and Initiatives</i></b> To receive updates on any developments including reports received (eg Litter Pickers; Community Speedwatch; Ardleigh Practical Actions for Climate and Environment (APACE); Police reports). <b>Not discussed this month due to time constraints.</b>
23.172.2	<b><i>First Aid/ Defibrillator</i></b> Feedback and questions raised following the training session in November, update from discussions with Community Heartbeat Trust and request for a second defibrillator. Siting/ costs to be discussed if supported. <b>Not discussed this month due to time constraints.</b>
23.172.3	<b><i>Asset of Community Value Status for The Lion public house</i></b> To ratify delegated Council decision to support designation of The Lion pub as an Asset of Community Value for community use and to discuss next steps. The Council <b>agreed</b> to ratify the decision.
<b>23.173</b>	<b>Reports and Correspondence</b>
23.173.1	<p><b><i>District and County Councillor reports</i></b> To receive verbal updates from those present. Any written reports received from District and County Councillors are sent to members by email.</p> <p>Cllr Guglielmi asked evidence to be collected about the lights being left on at the Highways depot. The school speed detector signs cannot be repaired or replaced due to Essex County Council budget constraints.</p>
23.173.2	<b><i>Councillors' reports</i></b> including reports of training or meetings attended including meeting with Sir Bernard Jenkin MP on 1 December. <b>Not discussed this month due to time constraints.</b>

23.173.3	<b>Clerk's report</b> - To receive a report on key tasks undertaken since the last meeting including delegated decisions and key correspondence (see attachment). <b>Noted but not discussed this month due to time constraints.</b>																		
<b>23.174</b>	<b>Parish Council Finance and Staffing – moved to earlier in the evening before 173.2 after 173.1</b>																		
23.174.1	<p>Financial reports to 30 November 2023 were received and <b>accepted</b>.</p> <p>The Clerk mentioned payments due to Cottage Landscapes could now exceed the budget in place for 2023-2024 due to additional tree work required. She will discuss the contract and billing with them.</p> <p>Cllr Whitely demonstrated some additional functionality on the financial reports. More information could be included in monthly updates to Councillors particularly future projections and visual reports.</p>																		
23.174.2	<p>The following <b>payments</b> were approved plus salaries including HMRC and pension contributions. Bills for payment for the Village Hall were also agreed.</p> <table border="1"> <tr> <td>Cottage Landscapes</td><td>£2,700.00</td></tr> <tr> <td>Deputy Clerk expenses (RE)</td><td>£27.16</td></tr> <tr> <td>Acetech security</td><td>£294.00</td></tr> <tr> <td>Cloudy IT</td><td>£163.80</td></tr> <tr> <td>Acetech security</td><td>£54.00</td></tr> <tr> <td>Ardleigh Village Hall</td><td>£30.00</td></tr> <tr> <td>Cottage Landscapes</td><td>£960.00</td></tr> <tr> <td>EALC</td><td>£228.00</td></tr> <tr> <td>Adobe (Clerks exp)</td><td>£19.97</td></tr> </table> <p>The cost of tree work in the churchyard was discussed with a view to billing the church following an attempt to remove a large branch. The church had reported the vandalism to the Parish Council but denied responsibility.</p>	Cottage Landscapes	£2,700.00	Deputy Clerk expenses (RE)	£27.16	Acetech security	£294.00	Cloudy IT	£163.80	Acetech security	£54.00	Ardleigh Village Hall	£30.00	Cottage Landscapes	£960.00	EALC	£228.00	Adobe (Clerks exp)	£19.97
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23.174.3	<p>To consider proposed budget and precept requirement for 2024-25. Budget must be finalised, and precept set in time for the January deadline. (see attachment)</p> <ul style="list-style-type: none"> <li>• The increase to the Precept should be kept at the rate of inflation if possible and the budget adjusted to accommodate this aim.</li> <li>• There were adequate reserves although there was no specific contingency for legal costs. Budget contingencies could be reduced, recognising that unexpected spending may impact on reserves.</li> <li>• VAT reclaim questioned; the Clerk explained this is cost neutral for budgeting purposes.</li> <li>• The interest received could be at a higher rate. Cllr Whitely offered to examine higher rates available.</li> <li>• Additional staffing costs were included in the draft budget. The title of the officers could be revised to give a clearer view of the roles. The workload currently justified the need for additional staffing hours for the foreseeable future.</li> </ul> <p>The Clerk would revise the budget for discussion and approval at January's meeting.</p>																		
<b>23.175</b>	<b>Amenities and Contracts</b>																		
	<p>To receive updates and take decisions on Parish Council amenities and contracts including:</p> <p><b>a) Council contracts and contractors</b> Charges for contractors including arrangements for handyman work would be a future discussion.</p> <p><b>b) Play and Exercise equipment</b> Update on outstanding issues and priorities.</p>																		

	<ul style="list-style-type: none"> <li>• Pend until next meeting for input from Deputy Clerk, Steve Roberts. Cllr Talbot stated his reports are no longer received by the Councillors. The reports and reporting structure were currently being overhauled by Deputy Clerk, Steve Roberts.</li> </ul> <p><b>c) The Ardleigh Recreation Ground</b> There was a new padlock in place.</p> <p><b>d) Cemetery/churchyard matters</b> Cllr Marshall had sent a report following the monthly inspection. Cost of hedge cutting was queried. The Clerk would discuss it with Cottage Landscapes.</p> <p><b>e) Millennium Green</b> Tree work needed and is part of the recent report. Quotes may need to be obtained.</p> <p><b>f) Village Hall matters</b> Several actions taken following the meeting on November 20. CHIP have been asked to identify bad debt sooner.  Scouts will be asked to pay by a different method in future. The Council <b>agreed</b> they would enforce the terms of the contract; payment would be due within 28 days.</p> <p><b>g) Other Amenities and Open Spaces issues</b> Tree works ongoing.</p>
<b>23.176</b>	<b>Parish Council Governance and Policies</b>
23.176.1	<p>To discuss and approve the draft Biodiversity Policy (see attachment). Carried forward from November.</p> <p>Public authorities in England have a duty to have regard to conserving biodiversity as part of their policy or decision making see <a href="#">Guidance on Biodiversity for Parish Councils</a></p> <ul style="list-style-type: none"> <li>• Suggestion replacement trees be planted if any removed in the Parish.</li> <li>• Quarterly review of biodiversity.</li> <li>• Contractors should be asked for their policies before engagement.</li> <li>• Areas the Council can support biodiversity should be examined.</li> <li>• Chemicals used within the Parish should be reviewed particularly glyphosate.</li> <li>• Request the Council think about what else can be contributed.</li> </ul> <p>The Council <b>agreed</b> the proposed Policy with ongoing reviews</p>
<b>23.177</b>	<b>Judicial Review</b>
23.177.1	<i>Items in confidence. Under the Public Bodies (Admissions to Meetings) Act 1960, the press and public may be excluded during all or part of the discussion of this agenda item as the Council will be considering legal and contractual issues.</i>
23.177.2	The other parties have instructed planning solicitors. Two suggested dates received for planning hearing, 8 and 11 January. It will be at the Administrative Court of Justice in London.
23.177.3	The necessary paperwork is being prepared by the Clerk and the Council's lawyers.
<b>23.178</b>	<p><b>Future meetings and meeting closure</b></p> <p>To confirm the scheduled next meeting will be <b>Monday 15 January</b>, 7.30pm, Ardleigh Village Hall (with remote link), instead of the previously agreed date of Monday 8 January 2024. The change is due to the possibility of the hearing date of the Judicial Review being 8 January. The rescheduled date will be advertised on Ardleigh website and on social media.</p> <p>Meeting closed at 10.04pm</p>

Signed by Meeting Chair ..... on .....