

# ARDLEIGH PARISH COUNCIL



## Minutes of the Meeting of Ardleigh Parish Council held on Monday 12 February 2024 at 7.30pm at Ardleigh Village Hall.

**PRESENT:** Cllrs Tim Barrott (Chair), James Blyth, Helen Fontaine, Jayne Marshall, Carolyn Mason, Richard Talbot, Jonathan Waters and Martin Whiteley. Also present were Cllr Zoe Fairley (Tendring District Council) and Cllr Carlo Guglielmi (Essex County Council).

Officers, Clerk, Rachel Fletcher, and Deputy Clerk, Rachel Edwards (Minutes)

**ALSO IN ATTENDANCE:** 5 members of the public were present in person and 1 person was online.

<b>24.016</b>	<b>Chair's Welcome</b> The Chair welcomed everyone to the February meeting.
<b>24.017</b>	<b>Apologies and reasons for absence</b> Apologies were received from Cllr Thrower
<b>24.018</b>	<ul style="list-style-type: none"> <li>• <b>Public participation session relating to items on the agenda</b></li> <li>• 4 issues were raised by members of the public, and one by Councillor Blyth</li> <li>• Essex County Council's Mineral Plan - concerns relating to the proposed siting of new quarries, particularly A73. Members of the public asked whether the sites were definite and were advised the Minerals Plan was a consultation process. The Parish Council would hold a Public Workshop to discuss issues. Residents could also make comments to Essex County Council. Cllr Guglielmi advised sites were appraised by various criteria, the consultation was a long process and Planning Inspectors would review sites. Cllr Guglielmi asked the Clerk to ascertain which residents had not received due notification and he would pursue this.</li> <li>• Colchester Road - the pavement was reported as impassable. It was advised the area was recently cut back. Another resident complained that debris from the cutting was left on site.</li> <li>• Dead Lane/ Colchester Road – verges, ditches and flooding. The member the public who attended in December to highlight these issues came for an update. He had reported the issue to Anglian Water, Essex County Council and the Environment Agency who advised it was the responsibility of the local District Council (not the Parish Council). Cllr Guglielmi asked the resident to supply the Essex County Council reference number and concise details. He would pursue the problem once received. The resident had commissioned a surveyor to write a report and would forward this once received. They requested a meeting on site.</li> <li>• The Street - resurfacing around the drains, flooding and road markings. A member of the public had reported the poor road surface and flooding to Essex Highways and Affinity Water in July 2023. They were advised an inspection would be done. They raised concerns the church wall would be damaged through wash from the road and Cllr Barrott highlighted the potential for frost shattering of the ancient brickwork. Cllr Guglielmi asked the resident to supply the Essex County Council reference number and photos to enable him to pursue it. Work by Essex Highways was due in October, then postponed to December due to other priorities following the storms and was still pending. Also, the double red lines were obscured so vehicles were parking there.</li> <li>• Dumped tyres - Cllr Blyth raised concerns about tyres dumped in a ditch which prevented clearance as a licence was needed to dispose of them. Tendring District Council were responsible for clearing fly tipping. Cllr Guglielmi would follow this up.</li> </ul>
<b>24.019</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.

	<p>Cllr Blyth declared pecuniary interests in relation to 24.022.5, Essex County Council's Local Mineral Plan Review and 24.022.6, Tendring District Council's Local Plan Review Call for Sites. Cllr Marshall declared non-pecuniary interests in relation to 24.022.5, as above.</p> <p>Cllr Guglielmi suggested a dispensation be applied for by councillors in respect of Essex County Council's Local Mineral Plan Review.</p> <p>The Council <b>resolved</b> to grant a dispensation to all Councillors who had not declared a pecuniary interest in respect of Essex County Council's Local Mineral Plan Review.</p> <p>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.</p>
<b>24.020</b>	<p><b>Minutes of meeting held on 15 January 2024</b></p> <p>The minutes of the meeting were <b>approved</b> as a true and accurate record.</p>
<b>24.021</b>	<p><b>Planning</b></p> <p>Applications published, received, validated and/or decided since the last meeting were noted. Comments on new applications and appeals were agreed as outlined below.</p> <p>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.</p>
<b>Applications</b>	<p><a href="#">24/00016/LBC</a> Erection of new timber gable due to structural failure. Boxley House, Colchester Road, Ardleigh CO7 7NR  <b>The Council had no objection.</b></p> <p><a href="#">24/00035/FUL</a> Proposed one dwelling in lieu of (approved) 22/00359/COUNOT (Barn A). Resubmission of 23/00773/FUL. Barn A to The rear of 5 Hunters Chase, Ardleigh, CO7 7LW  <b>The Council resolved to object for similar reasons to previous applications at this address.</b></p> <p><a href="#">24/00105/FULHH</a> Single storey rear extension. The Orchard, The Street, Ardleigh, CO7 7LD  <b>The Council had no objection.</b></p> <p><a href="#">24/00074/WTPO</a> and <a href="#">24/00076/TCA</a> Tree work to cherry trees, lime trees, sycamore and fir tree. Little Court, Harwich Road, Ardleigh CO7 7LB  <b>The Council had no objection.</b></p> <p><a href="#">24/00062/FUL</a> Conversion of agricultural barn to residential dwelling, new access driveway, parking bays and garden. Agricultural Barn, Harveys Farm, Old Ipswich Road, Ardleigh, CO7 7QS  <b>The dwelling is next to a listed building and from the plan, resembles an office building. The barn has not been agricultural for many years. The Council resolved to object.</b></p> <p><a href="#">24/00119/FUL</a> Demolition of existing buildings and construction of new storage warehouse, associated yard, parking and ancillary storage. Ardleigh Oaks, Old Ipswich Road Ardleigh CO7 7RQ  <b>The Council resolved to object for similar reasons to other large warehouses/factories in this area.</b></p> <p><b>Applications received since the date of the Agenda:</b></p> <p><a href="#">24/00109/COUNOT</a> Prior Approval Application under Part 3, Class Q, of the Town and Country Planning Order 2015 for change of use of agricultural buildings to five dwellings. Pole House, 36 Harwich Road, Lawford, Manningtree  <b>The Council resolved to object.</b></p> <p><a href="#">24/00122/ADV</a> Consent to display 6 Illuminated Signs and 2 Silver Fascia Signs B,C, Glyn Hopkin Limited, Ipswich Road CO4 9TF  <b>The Council resolved to comment on the brightness of the signage.</b></p> <p><a href="#">24/00164/FULHH</a> Retrospective planning application for construction of single storey outbuilding ancillary to and for the use of Kalm Oaks. Kalm Oak Nursery, Hunters Chase, Ardleigh, CO7 7LW  <b>The Council resolved to object in line with earlier comments.</b></p>
<b>Other/ Appeals</b>	To note or consider any other applications including enforcement issues. None

<b>24.022</b>	<b>Other Planning and Infrastructure issues</b>
24.022.1	<b><i>Tendring/Colchester Borders Garden Community (and related issues)</i></b> . Cllr Guglielmi advised the next stage would be a Stewardship Model for the area with the likelihood it would become a new authority eg Parish or Town Council. Consultants would prepare options to go to public consultation with a public enquiry later in the year supported by the Inspector. It was suggested there may be a buffer of land between the new community and Ardleigh and that Crockleford may remain within the Ardleigh Parish.
24.022.2	<b><i>Neighbourhood Plan (and related issues)</i></b> The Council were not unhappy with the changes suggested by the Examiner except comments in relation to the Garden Community. Crockleford residents wished to remain within the Ardleigh Parish boundary and be included in the Neighbourhood Plan. It was suggested the wording could be changed to exclude Crockleford only once the Garden Community was able to undertake the same conditions as the Neighbourhood Plan. Expert guidance to be sought in terms of required wording. Some of the language was indeterminate and should be quantified and more clearly defined.
24.022.3	<b><i>Pylons, Substations, Windfarms and related</i></b> <ul style="list-style-type: none"> <li>• The Ardleigh History &amp; Heritage Survey had been compiled by local residents and councillors to mark historic attributes. The Clerk would share document with Councillors.</li> <li>• Sir Bernard Jenkin sent an email which detailed a meeting with the Electricity System Operator and other Members of Parliament who discussed these issues. They were confident an offshore option would be found however Tarchon had a proposed connection at the planned substation in Ardleigh. This would need to be resolved.</li> <li>• Several council members attended the Five Estuaries webinar and consultation at Lawford Venture Centre recently. Cllr Fairley stated alternative approach was being taken by a resident of a Neighbouring Parish and suggested a meeting would be useful and would also include Little Bromley Parish Council and active residents. Action meeting to be arranged.</li> <li>• Cllrs felt Five Estuaries appeared keen to come onshore.</li> <li>• Interview by Ralph Fiennes on media perceived as useful.</li> <li>• Purchase of more banners by Parish Council considered. Leaflets were being printed by the Essex Suffolk Norfolk campaign who would be looking for distributors.</li> <li>• Information needed to be shared that residents must be re-registered with National Grid to receive updates.</li> </ul>
24.022.4	<b><i>Statement of Community Involvement Public Consultation</i></b> Cllr Guglielmi stated little change from previous consultation. No Council response required.
24.022.5	<b><i>Minerals Local Plan Review</i></b> <u>Cllr Blyth left the meeting because of the declared pecuniary interest (see 24.019)</u> Ardleigh Parish Council would hold a public workshop to discuss issues. The Clerk would circulate dates. Cllr Guglielmi thought Essex County Council would be unlikely to attend but might supply literature. He suggested the Parish Council focussed on the review comments linked to each potential site. Cllr Fairley stated the need to highlight the cumulative effect of minerals review/pylons etc. Permission had already been given by landowners for the sites on the maps supplied. The Parish Council would formulate a response.
24.022.6	<b><i>Tendring District Council Local Plan Review Call for Sites 2024</i></b> Councillors would review for information only. No Council response required. <u>Cllr Blyth re-joined the meeting.</u>
<b>24.023</b>	<b>Highways, Public Rights of Way (PRoW) and related issues</b>
	Meeting with Cllrs Guglielmi and Fairley would be rescheduled. Litter along Slough Lane had been reported to Tendring District Council. Locked gate on Public Right of Way reported – the issue remained unresolved despite previous intervention by authorities.

	<p>Flooding in Coggeshall Road/Hunters Chase had returned and the pond in Wick Lane had flooded.</p> <p>Councillors reminded to send the reference numbers to the Clerks when reporting these issues.</p>																		
<b>24.024</b>	<b>Community Projects, events and assets</b>																		
24.024.1	<b>Community Projects and Initiatives</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). None																		
24.024.2	<p>To consider arrangements and risk assessments for forthcoming <b>community clear up events</b> (Cemetery 26 February 2pm, Recreation Ground/ Millennium Green 24 February 10am)</p> <p>Recreation Ground/ Millennium Green on 24 February, 10am would be cancelled. Cottage Landscapes might be asked to clear debris. Notices needed for cemetery gates related to items left on graves.</p>																		
24.024.3	<b>First Aid/ Defibrillator</b> Councillors to bring forward and discuss proposals to cost and site a second defibrillator in the village. No proposals brought forward.																		
24.024.4	To consider and decide on the date/ format of the <b>Annual Parish Assembly</b> meeting and any associated events such as a Community Showcase or public meetings. Council <b>resolved</b> not to call an Annual Assembly this year due to pressing local issues/Mineral's Review Public Workshop and other issues.																		
<b>24.025</b>	<b>Reports and Correspondence</b>																		
24.025.1	<p><b>District and County Councillor reports</b> To receive verbal updates from those present. Any written reports received from District and County Councillors were emailed to members.</p> <p>Cllr Fairley gave her updates in earlier comments. She would send response to the questions raised at the online and face-to-face meetings Five Estuaries once received.</p> <p>Cllr Guglielmi had met with Sir Bernand Jenkin and Cllr Tom Cunningham, the new Essex County Council cabinet member for Highways. Diversion routes and traffic management when the A12 and A120 were closed were discussed. Cllr Cunningham would meet with Essex Highways and update afterwards. Sir Bernard was pursuing the land for the Cemetery extension at Glebe Corner. He was aware Ardleigh Parish Council was facing numerous issues. Cllr Mason suggested Glebe Corner could be a biodiversity site in conjunction with Essex Wildlife Trust. Cllr Guglielmi would be aiming to have it transferred as an Asset of Community Value.</p> <p>Tendring District Council had asked if the nomination for The Lion as an Asset of Community Value could be removed. Ardleigh Parish Council would have questions related to the change of use for it to become a restaurant. They would not remove the nomination for an Asset of Community Value Advice until advice about the planning status was received.</p>																		
24.025.2	<b>Councillors' reports</b> including reports of training or meetings. None																		
24.025.3	<b>Clerk's report</b> - The report on key tasks undertaken since the last meeting including delegated decisions and key correspondence was noted.																		
<b>24.026</b>	<b>Parish Council Finance and Staffing</b>																		
24.026.1	Financial reports to 31 January 2024. Not available this month due to time pressures.																		
24.026.2	<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>Opus fm group</td><td>£108.00</td></tr> <tr> <td>Royal Mail</td><td>£396.00</td></tr> <tr> <td>Npower</td><td>£345.96</td></tr> <tr> <td>TDC</td><td>£104.20</td></tr> <tr> <td>Pro Trainings Europe LTD</td><td>£107.80</td></tr> <tr> <td>RE Deputy Clerk expenses</td><td>£41.18</td></tr> <tr> <td>Cloudy IT</td><td>£163.80</td></tr> <tr> <td>Clerks expenses</td><td>£5.38</td></tr> <tr> <td>Ardleigh Village Hall</td><td>£15.00</td></tr> </table>	Opus fm group	£108.00	Royal Mail	£396.00	Npower	£345.96	TDC	£104.20	Pro Trainings Europe LTD	£107.80	RE Deputy Clerk expenses	£41.18	Cloudy IT	£163.80	Clerks expenses	£5.38	Ardleigh Village Hall	£15.00
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	Planning Direct	£330.00
	Adobe (Clerks exp)	£19.97
24.026.3	<p>To consider and decide on grant funding applications received. Two applications were received, there was a budget for 2023-4 of £1000. (see attachments).</p> <p>First applicant omitted critical answer relating to benefit to the community, although plans submitted would benefit Village Hall. Council wanted questions answered to allow application to be considered. Council <b>resolved</b> to defer application to be considered by Village Hall trustee meeting and recommend to Council.</p> <p>Second applicant had shown a large balance in their accounts which Cllrs felt eliminated them from the process. Council <b>resolved</b> to decline application.</p>	
<b>24.027</b>	<b>Amenities and Contracts</b>	
	<p>To receive updates and take decisions on Parish Council amenities and contracts including:</p> <p>a) <b>Council contracts and contractors</b> - None</p> <p>b) <b>Play and Exercise equipment</b> – Deputy Clerk had visited the sites with Cllr Talbot and updated the relevant spreadsheets. Quotes have been requested for work needed as well as for the sandpit/boat area. This had been looked at as possible spend via Town and Country Planning Act 1990, Section 106 funding. Updates would follow once further quotes received.</p> <p>c) <b>The Ardleigh Recreation Ground</b> - None</p> <p>d) <b>Cemetery/churchyard matters</b> – Planning application process required for work to the trees in the conservation area would be done by Cllrs Barrott and Marshall.</p> <p>e) <b>Millennium Green</b> - None</p> <p>f) <b>Village Hall matters</b> – Village Hall meeting needed to discuss plans - dates would be shared by Clerk. A grant might be available, Cllrs Mason and Whitley to review.</p> <p>g) <b>Other Amenities and Open Spaces issues</b> - None</p> <p>h) <b>Biodiversity issues and updates</b> - None</p>	
<b>24.028</b>	<p><b>Parish Council Governance and Policies</b> To consider the reviews of the following policies: (documents attached) Circulated for review.</p> <p>a) Financial Regulations - Council <b>resolved</b> to adopt.</p> <p>b) Code of Conduct – Council <b>resolved</b> to adopt. Cllr Mason stated all must be mindful of wording when writing emails between Councillors and/or copied to members of the public.</p> <p>c) System of Internal Control - Council <b>resolved</b> to adopt.</p> <p>d) Privacy Policy – deferred until next month.</p>	
<b>24.029</b>	<b>Judicial Review</b>	
24.029.1	<p><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. - None</i></p>	
24.029.2	<p>As mentioned at the January meeting, the public oral permissions hearing will take place in person at the Royal Courts of Justice in London on 29 February 2024. The time of the hearing will be published in the Cause List the day before the hearing (available online from 2.30pm that day). <a href="http://www.justice.gov.uk/courts/court-lists/list-rcj">http://www.justice.gov.uk/courts/court-lists/list-rcj</a></p> <p>Cllr Waters, Blyth and Mason would be attending in London.</p>	
24.029.3	<p>To discuss any further actions required. None.</p> <p>Cllrs gave a vote of thanks to the Clerk and Cllr Waters for work completed on this matter.</p>	
<b>24.030</b>	<b>Parish Council Staffing</b>	

	<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. – None</i>
24.030.1	Staffing Committee needed to meet to formalise the Deputy Clerk role and visit other hours which may be available for additional staffing. Clerk would share dates.
24.030.2	Workload issues noted. Future discussion about the format of the Agenda to ensure that items requiring discussion and councillor input had time to be fully considered. This would be brought to a future meeting.
<b>24.031</b>	<b>Future meetings and meeting closure</b>
24.031.1	To confirm the scheduled next meeting on Monday 11 March 2024, 7.30pm, Ardleigh Village Hall (with remote link).
24.031.2	Meeting closed 9.44pm.

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