

LITTLE BADDOW PARISH COUNCIL

ORDINARY MEETING – Thursday 8th November 2007

An Ordinary Meeting of the Parish Council was held in The Memorial Hall on Thursday 8th November 2007. The Meeting commenced at 7.30 p.m. Those present were:-

Mr J Robinson - Chairman	
Mrs M Buckley	Mr T Clayton
Mr. K. Ferguson	Mrs C Hodgson
Mr S Johnson	Mrs J Rigler
Mr T J Thorogood	Mrs J. Roberts

In attendance: Mr R Shepherd MBE (Clerk) Members of the Public 65

145/07 DECLARATIONS OF INTERESTS

Councillor Buckley declared a Personal Interest in planning application 07/02078/FUL which related to Highfield Cottage The Ridge Little Baddow.

146/07 MINUTES

It was proposed by Councillor Ferguson and seconded by Councillor Rigler that the minutes of the meeting held on 4th October 2007 should be accepted as a correct record.

147/07 MATTERS ARISING

134/07 and 119/07- Decision of a Council - Under the Collective Decisions of a Council you will recall that we received 2 letters from the public who suggested that Councillors Tim Clayton, Jane Rigler and Jo Roberts were out of order when they voiced their opposition to the proposals for a planning application to redevelop part of the Sports Ground for Tennis Courts.

This was passed to the legal department and the Parish Council has now received a reply from Susan De Val, Solicitor stating that the councillors were acting appropriately in opposing the position of the parish council if they considered it to be in the interests of residents that they do so.

She goes on to say that “However, it is suggested there is an obligation on members of the council to support that decision, and if they do not, there is either some breach of the general law or the National Code. This is quite wrong. It is the essence of local democratic politics that members may disagree with a decision of the Council and campaign against it: what is binding on the council as a body corporate is not equally binding on the members themselves”

“I can confirm it would not be a breach of the code to make representations to another body using one’s position as a member: the member is acting on behalf of his constituents, and in the absence of any statement that the member is acting with the authority of the council, there could be no criticism made of the actions of the councillor”.

She concludes, “on the information before me I cannot find there has been a breach of the general law, nor any breach of the national code”

I would like to add that I am very sorry that this matter has taken so long to resolve and for the distress that this may have caused the 3 councillors but they have been cleared of any wrongdoing and I now consider that this matter is closed.

PUBLIC QUESTION TIME

The meeting was closed from 7.35pm to 7.42pm

148/07 PARISH MEETING

It was proposed by Councillor Ferguson and seconded by Councillor Johnson that the minutes of the Parish meeting held on 1st November 2007 should be accepted as a correct record.

149/07 VILLAGE GREEN REGISTRATION

A lengthy discussion took place on the application to register the Sports Ground as a Village Green and Councillors had been circulated with a number of papers relating to the matter. In addition the Clerk drew to their attention that two further letters had been received from (a) Mr and Mrs Jones of Birkenshaw The Ridge and (b) Mr & Mrs Leaver of ‘Old Riffhams’ Riffhams Chase. Both parties had indicated in their letter that the Council should object to the application.

The following was proposed by Councillor Rigler and seconded by Councillor Ferguson ‘*The Parish Council would not voluntarily register the Sports Field as a Village Green*’. The Chairman had indicated that he would like a recorded vote which was taken as follows: In favour of the proposal Councillor Buckley, Councillor Ferguson, Councillor Hodgson, Councillor Johnson, Councillor Rigler, Councillor Roberts, Councillor Robinson and Councillor Thorogood. Against the proposal: Councillor Clayton. *The proposal was carried.*

It was further proposed by Councillor Thorogood and seconded by Councillor Buckley that ‘*The Parish Council will object most strongly for the Sports Field to be registered as a Village Green*’. The Chairman had indicated that he would like a recorded vote which was taken as follows: In favour of the proposal Councillor Buckley, Councillor Ferguson, Councillor Hodgson, Councillor Johnson, Councillor Rigler, Councillor Roberts, Councillor Robinson and Councillor Thorogood. Against the proposal: Councillor Clayton. *The proposal was carried.*

It was further proposed by Councillor Ferguson and seconded by Councillor Johnson ‘*That the Parish Council take what documentary evidence they have, either directly or indirectly for Mr Farthing (the Solicitor), consider whether we wish to modify it, and ask Mr Farthing whether the final version has legal effect*’. The Chairman had indicated that he would like a recorded vote which was taken as follows: In favour of the proposal Councillor Buckley, Councillor Ferguson, Councillor Hodgson, Councillor Johnson, Councillor Rigler, Councillor Roberts, Councillor Robinson and Councillor Thorogood. Against the proposal: Councillor Clayton. *This proposal was carried.*

It was further agreed that enquiry should be made of the Solicitor as to the probable cost to the Council of being legally represented at any hearing. Councillor Ferguson will liaise with the Solicitor.

PUBLIC QUESTION TIME
The meeting was closed from 8.20pm to 8.23pm

150/07 PLANNING APPLICATIONS

Application No.	Name of Applicant	Nature of Proposed Development	Result
07/02021/FUL	Mr. & Mrs. Russell	1 Mays Cottages North Hill Single Storey Side extension	No Objection
07/01800/FUL	Mr. & Mrs. T Duke	'White Heather' North Hill Provision of basement and alterations to existing elevation of previously approved extension – 04/00901/FUL	No Objection
07/02078/FUL	Mr. T. Plato	Highfield House The Ridge Demolition of existing dwelling and construction of replacement two storey dwelling	No Objection
LS/CAVG/33	Essex County Council	Commons Registration Act 2006, section 15 Land known as Little Baddow Sports Field, Little Baddow. Land to be registered as a Village Green	Objection
07/02106/FUL	Mr. J P Slow	The White Cottage The Ridge Single Storey Conservatory Extension	No Objection

Planning - Correspondence:

Writer	Subject	
Little Baddow Conservation Society	Village Green	Noted
CBC TPO/2007/138	Old Riffhams Riffhams Chase	Noted
CBC TPO/2007/143	Scout and Guide Woodland Riffhams Chase	Noted
CBC TPO/2007/139	Riffhams Little Field Riffhams Chase	Noted
CBC 07/00477/FUL	Little Baddow Tennis Club - Notice of Appeal	Noted
Little Baddow Tennis Club	Notice of Appeal	Noted
CBC 07/05295/TPO	7 Runsell Lane	Noted
CBC	Parish Council Meeting Wednesday 5 th December at 7pm	Councillor Ferguson
CBC TPO/2007/093	Land north of Chelmer Cottage	Noted

151/07 GENERAL CORRESPONDENCE

Writer	Subject	Result
1. Essex Rural Partnership	Closure of Post Offices	Noted

2.Patient and Public Involvement Forum	Meeting Thursday 22 nd November 2-4pm Maldon Town Hall	Noted
3.Stop Stanstead Expansion	Request for a Donation	Noted
4. Mrs. M Klaber	Village Fete – Request for a Donation	It was proposed by that the sum of £500 should be granted.
6.EALC	Law & Procedures Course 5 th December 2007 9.30am-3.30pm	Noted
7.CBC	Committee and Electoral Services	Noted
8.Chelmsford Partnership	Draft Handbook	Councillor Ferguson
9. ECC	Essex Strategy 19 th November 2007 6.30pm-9pm	Noted

152/07 PAYMENT OF ACCOUNTS

It was proposed by Councillor Ferguson and seconded by Councillor Hodgson that the accounts are passed for payment

PAYMENT OF ACCOUNTS 8th November 2007						
Cheque	Payee	Description	Subject	Cost	VAT	Total
**DD	Talk Talk	General	Telephone	£ 23.09	£ 4.03	£ 27.12
**DD	CBC	Memorial Hall	Rates	£ 103.00		£ 103.00
DD	Information Commissioner	General	Data Protect	£ 35.00		£ 35.00
**4311	K Chittock	General	Pruning	£ 90.00		£ 90.00
**4312	CBC	General	Stationery	£ 249.15	£ 43.60	£ 292.75
4313	Mrs M Jarvis	Spring Close	Salary	£ 31.44		£ 31.44
4314	Mr R J Shepherd	General	Salary	£ 499.88		
"	"	General	Conference	£ 141.73		
"	"	General	Petty Cash	£ 84.68		£ 726.29
4315	Mr. J Sheriff	Memorial Hall	Salary	£ 380.44		
"	"	"	Supplies	£ 6.60		
			Telephone	£ 13.64	£ 2.39	
			Expenses	£ 25.00		£ 428.07
4316	Ritchcomm Ltd	Pavillion	Cleaning	£ 175.25		£ 175.25
4317	Connaught Gasforce Ltd	Pavillion	Maintenance	£ 555.45	£ 97.20	£ 652.65
4318	Mrs L May	Memorial Hall	R/Caretaker	£ 25.00		£ 25.00
4319	Womens Institute	Section 137	Refreshment	£ 25.00		£ 25.00
4320	RBS Software Solutions	General	Maintenance	£ 50.00	£ 8.75	£ 58.75
4321	Birketts LLP	General	Legal Advice	£ 500.00	£ 87.50	£ 587.50
**DD	British Gas	Memorial Hall	Supply	£ 149.52	£ 7.48	£ 157.00
				£ 3,163.87	£ 250.95	£ 3,414.82

	Statement of Accounts	31.10.07	RESERVES		
	Current Account	£ 4,679.30	Hall		£ 3,000.00
	Reserve	£ 5,360.66	Pavilion		£ 2,000.00
	Capital Reserve	£ 46,772.63	Spring Close		£ 10,000.00
	Total	£ 56,812.59	Clerks Reserve		£ 404.28
			EALC Reserve		£ 16,800.00
	Holybred Wood	£ 11,279.06	Total		£ 35,619.10
			Funds Available		£ 21,193.49
**	Paid outside of Council Meeting				

153/07 AMENITIES

Refuse Bins Paper Mill Lock – Councillor Roberts circulated a brochure in which she had identified a suitable container. (RLA6) It was proposed by Councillor Robinson and seconded by Councillor Rigler that she liaises with Chelmsford Borough Council before the item is purchased.

Aldermanburgh Green-Tree Pruning – it was agreed that Councillors Roberts and Johnson should undertake further consultations with those most affected by the trees.

Holybred Wood – the Warden had brought to the Councils attention the limited space there was in the car park and suggested that two trees should be coppiced to ground level. It was agreed that this matter should be discussed with the Forestry Commission when they visited.

Seat – the seat within the vicinity of the notice board had been damaged. The Caretaker will be asked to examine the seat to ascertain whether it is repairable.

154/07 SPRING CLOSE PLAY AREA

There was nothing to report.

155/07 SPRING CLOSE PLAY AREA-TO ELECT A CHAIRMAN FOR FUNDRAISING

This matter was discussed at length and no Councillor wished to take on the role of Chairman. It was agreed that a letter would be sent to those members of the Working Party to ascertain whether a volunteer would come forward to head the Committee.

156/07 BUDGET PROPOSALS 2008/2009

Councillor Ferguson circulated the proposals which will be considered for adoption at the next meeting. Councillor Rigler raised the question of the lengthy hours that the Clerk was required to work and Councillor Ferguson will be addressing this problem

157/07 VILLAGE FETE DONATION

It was proposed by Councillor Ferguson and seconded by Councillor Robinson that the sum of £500 should be granted to the Committee organising the event.

158/07 ANY OTHER BUSINESS

Councillor Roberts was concerned that rumours had been circulating in the village to the effect that she was using her services as a Charity Director and the charity Data Base to encourage people to vote in connection with the Tennis Courts/Village Green. This was certainly not the case and she wished to have this recorded.

159/07 DATE OF NEXT MEETING:
The meeting closed at 9.25pm

Thursday 6th December 2007

Chairman
6th December 2007