



Minutes of the Parish Council Meeting held in The Kirdford Village Hall, Kirdford on Monday, 21st March, 2016 commencing at 7.00 p.m.

Present: Cllr. Mr. I. Campbell (in the Chair)
Cllr. Mrs. K. Fenney
Cllr. Mrs. A. Gillett
Cllr. Mrs. N. Goddard
Cllr. Mrs. L. Nutting
Cllr. Miss S. Pinder

In Attendance: Cllr. Mr. J. Ransley (District Councillor)
4 Members of the Public.

261. **APOLOGIES FOR ABSENCE** – Apologies for absence had been received from Cllr. Mrs. J. Robertson (personal reasons) and Cllr. Mrs. J. Duncton, County Councillor.
262. **PUBLIC PARTICIPATION** – To receive and note questions, comments or representations.

A resident asked if it was time for an appraisal of the trees in the village to be undertaken in order to manage the trees for the safety of the public. The Chairman explained that very few of the trees within the village were the responsibility of this Council. The resident considered that it could be possible to construct certain buildings such as bus shelters from any trees that had to be removed. The Chairman asked him to advise the Council of any trees that were of concern so that the ownership could be ascertained. Trees would definitely only be removed if they were a safety hazard.

263. **DISCLOSURES OF INTEREST** – to receive disclosures of personal and prejudicial interests from Councillors on matters to be considered at the meeting. There were no declarations of interest from Members.
264. **MINUTES OF THE LAST MEETING** – to resolve that the minutes of the meetings of the Council held on 15th February, 2016 be signed as a correct record.

The minutes of the Parish Council Meeting held on the 15th February, 2016 were a correct record of the proceedings thereat. The minutes were then duly signed by the Chairman.

265. **TO ADOPT THE MINUTES OF THE FOLLOWING COMMITTEES.** None were available.
266. **CHAIRMAN'S ANNOUNCEMENTS.** The Chairman reminded Members of the need to comply with legislation requirements.

The Chairman advised that since the last Council meeting Cllr. Mr. Ransley had resigned from the Parish Council. He thanked Cllr. Mr. Ransley for all the work he had

done, especially being the lead for the Neighbourhood Plan. Without the Neighbourhood Plan the Parish would be in a worse position than it is. A suitable letter should be written.

There was a consultation about Neighbourhood Plans and the Chairman wondered whether anyone was intending to look at it or make any comment. Cllr. Mr. Ransley stated that this would be important in the long term.

The Chairman pointed out to the meeting that this was his last meeting, although he would Chair the Annual Parish Meeting. He stated that it had been great working with everyone and it had been an interesting experience that he would miss.

267. The Chairman, with the agreement of the meeting, brought forward agenda item 23 as some members of the public present were interested in that item.

FOOTPATH FP610 – To decide whether to accept delivery of 20 tonne of Type 1 Stone for reinstatement of this path. Cllr. Miss Pinder explained that this footpath ran between Herons Close and the Old Growers site (now Bramley Close). It was the main footpath in the central part of the village. This footpath had broken down and was very deep in mud and quite dangerous to try and walk on. WSCC was not able to offer the Council any manpower to repair/maintain this footpath, but would provide the materials. Due to the Health and Safety conditions and the standards of repair that WSCC was demanding, it would not be possible just to pitch up with wheelbarrows and start shovelling gravel. The Parish Council is required to have a mini-digger and a whacker plate roller.

Mr. Beckett had walked the footpath and considered that it would be a fairly straightforward job in the summer. He had access to the relevant machinery and willing to provide his and his wife's time to do the work. Mr. Beckett would liaise with Mr. Sparks of WSCC with regard to the timing and arrangements for delivery of the material. Cllr. Mrs. Gillett asked how many other people he would require. Mr. Beckett stated that he would be fairly self-contained. Approximately one month's notice of these works should be given in order to advertise the closure of the footpath during repairs. An official closure could be arranged.

Cllr. Miss Pinder had contacted residents of Herons Close about putting the stone in the hammerhead, but some residents were not happy about this. Cllr. Mrs. Gillett advised that some were worried that the stone was going to be put there and stay for months. Bramley Close owned the land that the footpath was on and were happy for these works to be undertaken. Mr. Beckett advised that the stone would be there for just two days tops. All residents of Herons Close should be advised that it would be happening and advised that the date would be advised at a later time, but that the stone would be there for no more than a few days. They should be informed that the Council had a team of professional people to do the work.

The Chairman asked about a Health and Safety Risk Assessment. It was confirmed that this would be provided. The Clerk advised that the Council's insurers should be informed of these works being undertaken, but it was confirmed that Mr. & Mrs. Beckett had their own insurance. The Chairman expressed his thanks to Mr. and Mrs. Beckett for them volunteering for this.

Cllr. Mrs. Gillett asked that a letter also be written to Oakfield.

Two Members of the public then left the meeting.

268. **AIRCRAFT NOISE**

- (a) **To agree to join the Association of Parish Councils Aviation Group whilst retaining its informal relationship with CAGNE but not to necessarily support activities/views where in conflict.** Cllr. Miss Pinder pointed out that CAGNE was a protest group whereas this group was representing elected bodies. The Chairman advised that this mirrored what there was in the East. It was **UNANIMOUSLY AGREED** to join this Group.
- (b) **To agree the Constitution of the Association of Parish Councils Aviation Group as previously circulated. However, by joining the Council would be agreeing to this as the Constitution would not change.** This was **UNANIMOUSLY AGREED.**

269. **REPORTS FROM COUNTY AND DISTRICT COUNCILLORS.** Cllr. Mr. Ransley (District Councillor) advised that CDC Council had agreed a Council Tax increase. The CIL infrastructure programme had been agreed at Council but he had expressed concerns over WSCC management process of delivering funds raised by the District Council and development in the district as they have to deliver improvements to infrastructure. He had asked Cabinet and the Council to ask WSCC how they were proposing to do this. Cabinet had agreed to do this. School provision was a concern for all Parishes; 50% of students came from outside the district. There were only 17 places at Plaistow.

The Roundwycke Close application was recommended for approval, but refused at committee, but he understood that they were going to appeal. He was concerned that CDC was not obtaining expert advice. He had requested a meeting with various Cabinet members and would keep the Parish informed.

Boundary changes – the Panel had met today and decided that the four north-eastern parishes plus Ebernoe and North Chapel would be in one Ward served by two members. This was the only way that can keep the four north-eastern parishes in the Cluster together with joint representation. This would now go to the Boundary Commission. He pointed out that the Parish could respond to the Boundary Commission consultation.

The Wisborough Green Neighbourhood Plan referendum would be held on the 5th May.

The Chairman asked about the Cala application and the CIL rules and whether such funds could be used for multiple projects and phased. Cllr. Mr. Ransley confirmed that the Parish Council would get 25% of the CIL money.

270. **CORRESPONDENCE.** There were no matters.

271. **DOCUMENTS FOR COUNCILLORS TO READ :-**

- (a) **Clerks & Councils Direct** – Cllr. Miss Pinder took this to read.

272. **CROUCHLAND BIOGAS :-**

- (a) **Update re: Certificate of Lawfulness Hearing.** The Councils' barrister had stated that Crouchland had not installed what was permitted and they had deceived the local authority, therefore the ten and four year rules did not apply. The Councils had a good case.
- (b) **Environment Agency Permit consultation.** The Chairman advised that there had been a further major pollution incident which had gone a long way towards Loxwood. He had met the Environment Agency with representatives from Plaistow and Ifold Parish Council for an update and had been advised that Crouchland had applied for a bespoke license, whereas they currently had a general license. There was a possibility of the E.A., giving them a new license when the terms of the old one had not been met and they had not run a safe site. The E.A., had not decided whether to prosecute for the contamination of the River Kird two years ago or the pollution incident a year ago as they had not finished investigations. The Chairman would be attending a meeting with the E.A., and Plaistow and Ifold Parish Council to discuss the new permit application.
- (c) **Freedom of Information request from the Managing Director.** This should have been an Environment Information Request so they had been asked to re-apply under the correct legislation. From the legal advice obtained, most of the exchanges with the Councils' solicitors would be legally privileged and other requested information was in the public domain and he has been advised of this. Nothing further had been heard from them.

Crouchland had also been called before the Traffic Commissioners again because they had allegedly broken their Traffic Operators Notice.

Cllr. Mr. Ransley was asked if he could ascertain details of the Ombudsman to contact in respect of the E.A.

273. **RECREATION GROUND AND VILLAGE HALL TRUSTS – arms-length arrangements for management/agreement of governance.** The Chairman suggested the following :-

Each year at the Annual Parish Council meeting in May, the Council should appoint Trustees to sit on the Recreation Ground and Village Hall Management Committees. These Trustees should ensure the following are undertaken and inform the Council should any of these things not be happening :-

- Ensure compliance with Charity Commission rules.
- Compliance with insurance conditions.
- Keeping an Asset Register up-to-date.
- Carry out Health and Safety Risk Assessments and provide the Council with copies.
- Produce an Annual Report and present this each year at the Annual Meeting.
- Insurance for activities (as opposed to assets/public liability).

Production of financial account for approval of the Council prior to them being submitted to the Charity Commission.

Cllr. Miss Pinder advised that she had provided the Clerk with a generic Health and Safety Risk Assessment in respect of the Recreation Ground, but one had not yet been produced for the Village Hall.

The Chairman felt that the Memorandum of Understanding should be up-dated for the Recreation Ground and one created for the Village Hall.

274. **VILLAGE SPRING CLEAN**. Cllr. Mrs. Gillett advised that this would be held on Saturday, 23rd May commencing at 10.00 a.m., and she would contact CDC to get the necessary equipment.
275. **RECRUITMENT OF CLERK UP-DATE AND RATIFICATION OF SALC COSTS**. SALC had quoted £250.00 to assist with recruitment and this had been accepted. This action was duly **RATIFIED**. Interviews were planned to be held on the 13th April after 6.00 p.m.
276. **TO CONSIDER CHANGING THE DATE OF THE ANNUAL PARISH COUNCIL MEETING PREVIOUSLY PLANNED TO BE HELD ON THE 16th MAY, 2016**. Following discussion it was **UNANIMOUSLY AGREED** to hold this Monday, 9th May, 2016.
277. **PROJECTS/PRIORITIES** - to receive reports and updates on last month's actions – all as per portfolio.

The Chairman advised that Landbuild had programmed the works for May and June, 2016. Letters had been written in order to obtain permission from the various landowners about access, etc. Sussex Wildlife Trust would need to be written to as the ditch works were now to be undertaken from their land rather than from the road. The realignment of the river at Bridgefoot was still outstanding and was with WSCC and the E.A.

The Chairman advised that a strong letter had been written to the E.A., about the lack of maintenance of the River Kird, but had received a bland reply stating that this was landowners responsibility which the Clerk had responded to.

The Chairman had attended a meeting with WSCC regarding the surface water problems on the highways as despite the earlier works there were still on-going maintenance problems of pipes, culverts, gullies, etc. The Chairman had a good meeting with Mr. Joel Sykes (WSCC) who advised that street cleaning (which included clearance of gully grilles) was the responsibility of CDC and that other parishes used volunteers, etc., but he would advise what he could do.

Cllr. Miss Pinder was still on the case of the Emergency Plan and footpaths.

278. **QUEEN'S 90th BIRTHDAY CELEBRATIONS** – update/beacons/PC involvement
Cllr. Mrs. Gillett advised that another meeting would be held tomorrow, but all was going well. Cllr. Mrs. Fenney advised that the beacon on the church would be in June.

279. **CALA APPLICATION** – update (meeting with officer/Viability Appraisal/HNS) Cllr. Mr. Campbell advised that the CDC officer had recommended that the Parish Council meet with Cala and this meeting had been held last Thursday. A number of things such as the fact that Kirdford was a dark village were raised. Regarding the layout Cala had stated that they would be happy to change the layout in respect of the affordable housing as these were currently in one area. It had been a positive meeting. There was a need to monitor the officer's report so that if it was recommended for approval against the Neighbourhood Plan, the Council could try and get it called in. Other points from the meeting were to meet Greenoak and investigate phasing of CIL. The contact details of the Chairman of the Bramley Close Residents Association should be passed to Cala.
280. **JWS LANDSCAPE – RE: GRASS CUTTING CONTRACT – PRICE INCREASE AND REQUEST TO CHANGE PAYMENT TO STANDING ORDER**. It was **AGREED** that payment by Standing Order was sensible. It should be ascertained how much or what percentage he was requesting. The Clerk was delegated to agree the increase required up to 2%, but if he required more it would need to go back to Council.
- It was pointed out that customers of the Forrester Arms were parking on Butts Common, therefore, a letter should be written asking them to advise their customers not to do so. The contractor should advise the Council if he was not able to gain access.
281. **TO CONSIDER APPROVING GIVING THE CONTRACT FOR ADDITIONAL PLAY EQUIPMENT AT SCHOOL COURT TO PLAYDATE PLAYGROUNDS LTD., OF EXPENDITURE UP TO £13,127.61**. The Chairman pointed out that there were a number of things in the contract that were not acceptable and things that did not apply, so a side letter had been requested, but unfortunately this had not really been done. To bring this to a close, the Clerk would write a letter detailing what had been agreed by e-mail and any other matters that were not acceptable and sign the order subject to the various points and giving the e-mail references. It was felt that RoSPA should inspect the new installation prior to payment of the 10% retention. Cllr. Mrs. Nutting asked that this equipment be ordered tomorrow. It was confirmed at the meeting that the Working Party had approved the proposed layout of the equipment. This was duly **AGREED**.
282. **CHICHESTER DISTRICT COUNCIL SURFACE WATER AND DRAINAGE CONSULTATION** – ratification of comments submitted. This was duly **AGREED**.
283. **SUSSEX HERITAGE TRUST AWARDS 2016**. It was **AGREED** that there were no appropriate buildings to submit.
284. **BUTTS COMMON WATER LEAK** – to consider whether to pay the invoice from Mr. Burns. An invoice in the sum of £825.00 has been received from Borettec Water Specialists.

Following discussion of this matter at the meeting on the 15th February, further investigations had been undertaken by the Clerk and Cllr. Mrs. Nutting and there had doubtless been a clear misunderstanding between the Council and this contractor (Mr. Burns) as he did think that he had authority to undertake the necessary repair.

Mr. Burns had carried out investigation work free of charge, but understood that he had authority to carry out the repair that he identified. The repair work involved digging several trial holes along the bank of Butts Common and found an old supply which he cut and capped. These works were undertaken on a Saturday starting at 7.30 a.m., and finishing at 3.00 p.m.

Mr. Burns had advised that the supply in question was a 50 mil supply and the parts required to complete this were very expensive with the stop-cock alone being over £140 and other fittings were also required.

Rob Brading of Southern Water rung Mr. Burns on Wednesday, 24th February, to say that he had cured the problem as the water on Butts Common was now stagnant water and not fresh water.

At the Parish Council meeting on 15th February, it was resolved that authority to agree the correctness of and pay the bill be delegated to the Clerk and Cllr. Mrs. Nutting. However, in view of the fact that the granting of this contract had not complied with this Council's Financial Regulations it is felt appropriate to bring this back to Council to make the decision.

As the leak had been fixed, and further information received from Mr. Burns has enabled the correctness of the bill to be ascertained, it was recommended that this invoice be settled and this can be funded from Reserves due to savings that have been made (to be confirmed by the Chairman of the Finance Committee).

However, Members **must** ensure that in future all works were contracted on behalf of the Council by the Parish Clerk and any verbal instructions should always be followed up in writing. No Member shall arrange works on behalf of the Parish Council.

Mr. Burns had also been advised that when contracting with the Council this must always be with the Clerk and be in writing.

Cllr. Mrs. Gillett did not think that this had been fixed because the water level in the ditch between Butts Common and Redwings and Sorrel House had not gone down at all. He may have solved a problem but it could be leaking elsewhere. Her neighbour also had a major leak. Cllr. Mrs. Gillett thought the Council should pay Mr. Burns, but ask him to meet the Council and Mr. Brading of Southern Water on site to discuss the matter. The problem was not a Parish Council or National Trust pipe that was causing the problem. Southern Water had a statutory responsibility to prevent waste water on private land.

Cllr. Mrs. Gillett Proposed; Seconded Cllr. Miss Pinder and **UNANIMOUSLY AGREED** to pay this invoice in the sum of £825.00 by cheque payable to Boretac Water Specialists as per the invoice received and to seek a site meeting with Mr. Burns and Southern Water as this was a Health and Safety issue.

285. **COUNCILLORS TO REPORT ANY POSSIBLE HEALTH AND SAFETY PROBLEMS.** The only problem was the flooding on Butts Common.

286. **FOLLOW UP ON ACTION LIST.** The Clerk should circulate the action list.

287. **TO CONSIDER BANK RECONCILIATION FOR FEBRUARY, 2016.** This was duly **NOTED.**

288. **ACCOUNTS TO BE PAID :-**

<u>Date</u>	<u>ChqNo</u>	<u>To Whom Paid</u>	<u>Supply</u>	<u>Net £</u>	<u>VAT £</u>	<u>Total £</u>
16.3.16	001582	Mrs. A. Gillett	Queen's B'Day Celebrations	250.00	0.00	250.00
21.3.16	001583	Borettec Water Specialists	Water Leak Butts Common	825.00	0.00	825.00
21.3.16	001584	Miss S. Pinder	Mileage	45.00	0.00	45.00
21.3.16	D/D	InTouch	Website Hosting	59.98	12.00	71.98
21.3.16	001585	Mrs. I. Marshall	March Salary	1,359.75	0.00	1,359.75
21.3.16	001586	Mrs. S. Dack	March Salary	445.50	0.00	445.50
21.3.16	001587	HMRC	Mth 12 Contributions	481.28	0.00	481.28
21.3.16	001588	Mrs. S. Dack	Mileage	40.50	0.00	40.50
21.3.16	001589	Mrs. I. Marshall	Office Expenses	59.75	0.00	59.75
21.3.16	001590	Mrs. I. Marshall	Office Allowance	150.00	0.00	150.00
		<u>Total</u>		<u>£3,716.76</u>	<u>£12.00</u>	<u>£3,728.76</u>

These were duly **AGREED.**

289. **PUBLIC PARTICIPATION** – to receive and note any further questions, comments or representations made by members of the public. No matters were raised.

290. **DATE OF ANNUAL PARISH MEETING** – 18th April, 2016 commencing at 7.00 p.m.

291. **DATE OF NEXT PARISH COUNCIL MEETING** – 18th April, 2016 commencing at 8.00 p.m.

292. A handover meeting would be held on Wednesday, 13th April, 2016 commencing at 7.00 p.m. in the Village Hall.

293. Cllr. Mrs. Gillett proposed a vote of thanks to the Chairman for all his efforts in the past. **UNANIMOUSLY AGREED.**

There being no further business the meeting closed at 8.55 p.m.