

**East Donyland Parish Council**  
 Full Parish Council Meeting – 14<sup>th</sup> July 2016  
 St Lawrence's School, Rectory Road, Rowhedge starting 7.00pm.  
**MINUTES**

**Present:** Cllrs Phil George, Richard Helliwell, Peter Case, Doug Clay, Nina Crouchman, Tony Pullon, John Rowland; Clerk – Nicki Matthews and 18 members of the public.

The Chairman, Cllr Phil George, opened the meeting at 7pm.

**49/16 To receive and accept apologies and to note absences:** Apologies received from Ward Cllrs Lilley, Fox & Scordis, and County Cllr Kevin Bentley.

**50/16 To minute pecuniary & non-pecuniary interests of members relating to items on the agenda:** DC – non-pecuniary 55/16; RH – pecuniary 54/16

**51/16 To approve the minutes of the meeting held on 9<sup>th</sup> June 2016:**

The minutes were proposed as correct by TP, 2<sup>nd</sup> JR – all agreed; minutes approved.

**52/16 Have your say! The Chairman will close the meeting for a max.15 minutes to ask members of the public to speak on any matters relevant to parish business:**

The following points and questions were raised:

- Item 55/16 – It was noted that the original agreement with the football club was that they should pay for servicing and insurance for the lawnmower. The parish council have already taken on the insurance, and should consider this in their discussion.
- Item 57/16 – CBC's comment on the consultation does not make reference to the second phase of the wharf development or small infill house builds, thereby understating the number of new houses already being built in the village by more than 86.
- Item 59/16:
  - S Allen noted her support for the parish council's full and clear comments on the planning application; but believes that the traffic calming issue needs tackling now – the RRA have received an offer of assistance with signage for this, and will be discussing it at their meeting on 18<sup>th</sup> July. PG reported that the meeting between CBC and EDPC to discuss traffic calming options was postponed due to the Local Plan meeting, but will now take place on 21<sup>st</sup> July.
  - J Magna noted that she has been in contact with CBC and EDPC already regarding the decision making process in relation to the S106 funds, and understands that the parish council did their best to have involvement in the process but were ignored. She would like to know what representation there was at ward level within the development team decision making process, and how proposals were sought from the community. If there was a transparent mechanism, what were the criteria and how were funds allocated? PG responded that he believed there was no representation from ward cllrs, and this is something that needs to be investigated. EDPC gave a detailed response and made a series of requests, which were all ignored with one exception.
  - There is concern that the system for allocating funds is not working – does the parish council have any control over this? PG responded that the parish council does not have control and was not consulted. On this occasion it appears that ward and county councillors representing our village were not consulted either, which is very frustrating. the parish council are pursuing this issue alongside ward councillors to look at the process.
- Wharf development – concern was raised that there appears to be no evidence in Bloor's current plans for the emergency gate at the end of the High St. This is a serious issue as it needs to be installed before any houses are inhabited, and there are ongoing concerns regarding how this will work in terms of parking control, land ownership etc.
- Footpaths:
  - Footpath 27 – the closure of this path has been extended until October due to the wharf development. It appears unlikely it will be reopened then, and Bloor are likely to apply for a

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further extension. K Jones has contacted Cllr Bentley, who has advised he will investigate this – please could the parish council ensure that they have input into this decision, given the issues regarding the condition of the alternative footpath.

- Footpath 22 – could this be hard surfaced, as it is well used? There may be existing hard surface under the mud, and the path could potentially be scraped to uncover this.
- Footpaths towards cemetery and linking to turning circle – very overgrown and need cutting back.
- Play area – there has been an increase of dog fouling in the children's play area. Could larger signs be installed reminding users that dogs are not allowed in there? *Action – the Clerk.*
- Village Signs – the one by Weir Lane still needs tidying up. The Clerk noted that the council has been checking who is responsible for these signs as they do not appear on the council's asset register, but it has now been established that they belong to the parish council and this will be referred to the Maintenance Committee to action. *Action – Maintenance Committee.*
- Shipyard Corner – the plaque has now been replaced, and secured so it cannot be removed again.

### 26/16 To receive and note reports from:

- i) County Councillor, Kevin Bentley: no report submitted.
- ii) CBC Councillors Mike Lilley, Adam Fox & Lee Scordis: PG read a report submitted by Cllr Scordis on behalf of the ward cllrs, raising the following points:

All 3 ward cllrs attended the planning meeting regarding the Wharf Development. LS spoke about the flooding and access to the site. ML, who was on the panel, supported on all issues. They are now investigating who decided the allocation of the 106 money and will endeavour to make sure this lack of contact with parish & ward councillors does not happen again.

Battleswick farm – ward cllrs only found out a few weeks ago about this from a colleague who viewed the plan. The application has changed as it will only feature 60 houses, which would be behind Hillview Close and Rowhedge Road. They attended the proposed site and ML and AF spoke out against the application at the Local Plan meeting, raising the issues of history, flooding, lack of infrastructure, more traffic, the fact that greenery will have to be destroyed to build these houses and that Rowhedge has taken its fair share of housing with the Wharf development. A big fear is that if they build this small development, they will then have bigger plans in the future. They will continue to oppose this and will also involve people from Old Heath, as they will also be affected by traffic and school places. ML has already contacted both MP's for Colchester and North Essex as well as our County Councillor.
- iii) The Clerk: noted. PG highlighted that the Pump House and Village Plan projects are still ongoing, but the council is waiting for responses in order to progress these. The footpaths P3 scheme takes place on 25<sup>th</sup> July and aims to enable volunteers to manage the footpaths in the village with closer links to ECC. TP reported that the first health and wellbeing class had taken place that day, and was very successful.
- iv) Village Bus Representative – Elizabeth Trellis:
  - The plans for the bus route to the new development are unclear as the turning circle does not appear adequate. Cllrs advised that they understood that the bus will not go to the new development, which is why Bloor have offered to repair and improve the turning circle on Rectory Road. Need to check with the bus company what the proposal is; *Action – the Clerk.*
  - Could a welcome pack be put together for the new residents on the wharf development, to include useful information, bus timetables etc? PG agreed this is a good idea, aim to get Bloor Homes involved.

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v) Rowhedge Residents' Association – Trisha Curran:

- Public meeting 18<sup>th</sup> July, 7.30pm at St Lawrence Church. The agenda includes Battleswick, 20's Plenty and a few other local issues. They are looking at developing a protest campaign with regard to the Local Plan.

**54/16 To agree the payments list already checked by Cllrs George & Clay (refer attached):** RH left the room. TP proposed the payments to be correct, 2nd NC all agreed. *Action – the Clerk.* RH re-joined the meeting.

**55/16 To consider a request from Rowhedge Juniors Football Club for funding towards the servicing of the lawnmower:**

Councillors discussed the agreement set up regarding the lawnmower and the responsibilities within that, and raised concerns regarding how this level of cost would be met on an ongoing basis. It was noted that the servicing cost included necessary repairs and was considerably higher than the club or parish council had anticipated (total £935 inc VAT), and the impact on the club of bearing this was considered. DC advised that the bill was causing the club a short term financial problem, but that it would be resolved once autumn fees were received. It was also noted that Myles Paton has now resigned as chair of the club; DC has given the names of the new grass cutting volunteers to the Clerk for inclusion on the insurance and they are receiving training.

TP proposed that the council give £300 to RJFC towards payment for the servicing, 2<sup>nd</sup> PC – not passed. PG proposed that the council give a 12month loan of £300 to RJFC to address the short term cash flow, 2<sup>nd</sup> RH – all agreed (DC abstained from the vote). *Action – the Clerk.*

**56/16 To note that the Parish Council's application to host a Community Day of Action in the autumn was successful, and that it will be held on Friday 7<sup>th</sup> October:** It was noted that this is a really positive achievement for the village; the initiative is run by the Safer Colchester Partnership and the aim of the day is to address local issues such as highways problems, litter, dog fouling, community safety etc. The parish council will need the support of the village to make the day a success and will be seeking as many volunteers as possible to get involved on the day.

**57/16 To receive an update from the Chairman regarding the potential future development of the Battleswick Farm site & the Local Plan:**

At last month's parish council meeting, Cllr Scordis gave a positive report that large developments planned elsewhere in the borough should eliminate the need for further development in Rowhedge. However, there was a last minute addition to the Local Plan proposals for a 60 house development on the Battleswick Farm site. EDPC were not informed of this, and only found out via Mr & Mrs Howie, who are the site tenants. At the Local Plan meeting, our ward cllrs spoke in opposition to this proposal, but it was approved by the committee and has been included in the draft plan as a preferred option. The next stage is CBC's public consultation on these options, and there will be a consultation event in Rowhedge Village Hall on 2<sup>nd</sup> August, 4pm – 8pm. EDPC are now in discussion with our ward cllrs, ECC Cllr Bentley, the RRA, Mr & Mrs Howie and other key parties to develop a co-ordinated response to the consultation; parish councillors will be meeting on the 19<sup>th</sup> July to plan the next steps, which may include a linked campaign with Old Heath residents if the council decides to oppose this development site as an option within the Local Plan. It was noted that this is not yet at the planning stage. Liz Howie was invited to comment, and noted that the proposal is for a minimum of 60 houses, with a road entrance via their driveway, and a footpath linking to Hillview Close.

Cllrs Helliwell, Clay and Crouchman declared a pecuniary interest in this issue due to the proximity of the proposed development site to their homes, and left the room at this point. PG proposed that the council object to the inclusion of the Battleswick site within the Local Plan as a site for potential development, 2<sup>nd</sup>

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JR – all agreed. RH, DC & NC re-joined the meeting. PG encouraged residents to attend the RRA meeting on the 18<sup>th</sup> July as well as the consultation on 2<sup>nd</sup> August.

**58/16 To receive an update from the Walking Football Club:** The parish council has received a letter from N Smee, noting that the club has had a very successful first year, with 23 participants and thanking the parish council for the provision of the facilities and their support. TP noted that the club is taking a break for August but will restart in September and could often do with more participants if anyone would like to join them.

**59/16 To discuss the recent allocation of planning contribution as part of planning application 160551, and consider how those decisions were made:** this application relates to the 2nd phase of the wharf development, above the current Bloor site, adjacent to the footpath towards Fingringhoe. In May, EDPC submitted a detailed response to the planning application, including S106 requests for contributions towards the Pump House project, the Fingringhoe footpath, traffic calming measures and open space facilities. Cllrs Pullon & George attended the CBC Planning Committee meeting and spoke in relation to these comments and the lack of consultation with EDPC on this matter. The CBC case officer had made written comments regarding EDPC’s requests, and all were refused except for the open space contribution which was granted. A sum of £120,000 was allocated to go to the Social Club. The Chair of the meeting recorded that EDPC were consultees in the process in spite of PG’s comments to the contrary. The application was approved by unanimous vote (Cllr Lilley abstained). Cllrs discussed their frustration and disappointment with this decision and raised the following concerns regarding the process:

- How the Social Club project was initiated - the Vice Chair of the Social Club has advised that they were approached by CBC a year ago in relation to this, and then had a further meeting 8 weeks ago. If CBC made the approach, why did they not involve EDPC or contact other community groups?
- The criteria for projects - the CBC case officer, Fay Mathers, has advised that the project will improve the service they can offer to the community and that it meets the criteria. Having sought further details of what those criteria are, Dan Cameron (S106 officer) has advised that projects must be fully costed and can be delivered in a short time frame; so far no evidence has been provided to show this is the case. Other requested projects e.g. the footpath towards Fingringhoe, were denied because they were outside the development area and therefore did not meet the criteria, which equally could be applied to the social club. Also, the Pump House project was rejected because it is privately owned, but so is the social club.
- Process to ensure delivery of service to community – how will spending be audited? The social club is owned privately – what measures are in place to ensure that it will remain a community facility in the future, e.g. if management changed?
- Serious inaccuracies - false statements were made in the planning documents, e.g. that EDPC had requested funding for a bridge to Wivenhoe – where did these originate?
- Lack of consultation – this is the second time that the parish council has been side-lined in the process; after the Bloor application EDPC sought advice as to how they could be more involved and were advised to submit ideas at the planning application stage. Yet, still there has been no consultation or discussion and the ideas submitted have been ignored and refused.

Cllrs emphasised that this is not an issue with the Social Club, or its management, and the Chair has congratulated the club on being awarded funding. The concerns relate to the processes being followed by CBC, the criteria used, and the lack of consultation.

Mike Lilley is separately liaising with CBC to raise concerns regarding the lack of consultation and involvement at ward and parish level. The Clerk to continue to liaise with CBC officers to clarify the process and address the concerns raised above. *Action – Cllr Lilley & the Clerk.*

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**60/16 To note recent reports of possible minor subsidence on Pearson's Quay, and consider a proposal from Cllr Helliwell to allocate up to £1,000 to investigate the cause and determine any remedial works required:** RH explained that D Myers had noted small dips in the surface when cutting the grass; at this point it appears minor but it would be prudent to investigate it professionally to identify and address any underlying issues. There may be voids under the surface or other problems which in the long term could lead to more serious damage to the quay, which is well used by the public. RH recommends that the council seeks advice from CBC and allocates funds to carry out any works required. TP noted that there appears to be some soil flowing out from the corner of the quay at low tide where the wood has rotted away, but RH advised that the dips appear along the length of the quay. RH proposed £1,000 be allocated to investigate the issue as stated in the agenda, 2<sup>nd</sup> TP – all agreed.

**61/16 To deal with matters arising from the previous Council minutes not dealt with elsewhere in this agenda (refer attached Action List):** The Action List was noted; so far there has been no further information received from the owners of the Pump House, who have been seeking to address issues of access / boundaries in regard to the land at the end of the High St.

**62/16 To discuss planning applications and note decision papers as listed:** Noted

- i) **Planning decision 161095, 10 High St; Proposed change of use of defunct post office premises (class A1) to coffee house/cafe (Class A3) – conditional permission granted:**
- ii) **Planning decision 160754, 158 Rowhedge Rd; Proposed side and rear extension, two storey with single storey lean-to at rear – conditional permission granted:**
- iii) **Planning decision 160551, Rowhedge Wharf development; demolition of existing vacant commercial units and comprehensive residential redevelopment comprising 86 no. new residential dwellings, together with associated hard and soft landscaping, access, car parking and servicing, amenity space etc – conditional permission granted:**

**63/16 To consider the applications received from Anna Appleyard and Barry Woodward to join the parish council, and to agree whether to co-opt any new members to fill the vacant seats:**

AA and BW were invited to address the meeting briefly to explain their reasons for applying to join the parish council and what they felt were the key issues for the council.

TP noted that BW is not a resident in the village, although he does live within the permitted distance (3 miles) for parish councillors. TP raised a concern that this could cause separation between him and residents, and distance him from his decisions. BW responded that he would expect a resident within the village to be elected in favour of him if the seat was contested.

TP proposed that Anna Appleyard be co-opted to become a member of the parish council, 2<sup>nd</sup> NC – all agreed.

TP proposed that Barry Woodward be co-opted to become a member of the parish council, 2<sup>nd</sup> PG – not passed.

**i) Any newly co-opted members to sign the declaration of acceptance of office:** AA signed the declaration.

The meeting closed at 8.25pm.

Agreed as a true record.

Signed: ..... Date: .....

Chairman