

**MORETON, BOBBINGWORTH & THE LAVERS
PARISH COUNCIL**

Clerk : Mrs Julia Milovanovic, 10 Knights Way, Great Dunmow, Essex CM6 1UL
Telephone: 01807 500775 **Email:** mblparishcouncil@gmail.com

You are hereby **summoned** to attend a virtual Meeting of the Parish Council which will be held on **Tuesday, 8th September 2020 at 7.30 pm** via **Zoom** to transact the business shown in the Agenda below.

Please contact the Clerk for details of how to join the meeting,



**Julia Milovanovic
Clerk to the Council**

*Members of the public and press are invited to attend this meeting
This meeting will be recorded for the purposes of ensuring accurate minutes. Members of the public should be aware that should they choose to speak, their voice will be picked up by this recording.*

AGENDA

1. APOLOGIES FOR ABSENCE

To **RECEIVE** any apologies for absence.

2. OTHER ABSENCES

To **NOTE** any absences for which no apology has been received.

3. DECLARATIONS OF INTEREST

To **RECEIVE** any Declarations of Interest by Members.

A Member with a personal interest in a matter must consider whether it is a Disclosable Pecuniary, Non-Pecuniary or Other Pecuniary Interest, and declare it accordingly. A Member who is unsure as to how to declare their interest should seek independent advice.

4. CONFIRMATION OF MINUTES

To **APPROVE** as a correct record the Minutes of the Parish Council Meeting held on 8th September 2020 and if needed to discuss any matters arising from these minutes and agree any outstanding actions.

5. PARISHIONERS' FORUM

To **RECEIVE** questions from members of the public.

In accordance with an agreed procedure, the time allocated for public questions may be limited to 10 minutes or such other period determined by the Chairman of the Meeting.

6. RESIGNATION

Richard Chiverrell tendered his resignation with effect from 24th August 2020.

EFDC have been advised and will be issuing a Notice of Election. Assuming no electors request an election, the Parish Council can then advertise to co-opt. The co-option notice has to be on our website for 14 days.

7. CO-OPTION OF NEW COUNCILLOR

Councillors are asked to **CONSIDER** the applications for the vacancies in Bobbingworth ward, and co-opt if agreed.

The applicant(s) will attend the meeting to give a short verbal presentation to the Council.

*(N.B. Details of the prospective applicant(s) will be circulated to Councillors **only** due to their confidential nature)*

8. REPORTS

To **RECEIVE** any questions emanating from any reports from Councillors who wish to give a report and/or who are representatives on Committees, Working Groups, Outside Bodies and other meetings that Councillors or the Clerk have attended and which, if available, will be reproduced if they have been submitted for inclusion:

- a) **Bobbingworth Nature Reserve**
- b) **District / County Councillor Reports**
- c) **Parish Councillor Reports** - if any

9. HIGHWAYS

- a) **Pot holes-** Following a request from Cllr McEwan the Clerk had provided details of potholes within the Parish. Cllr McEwan had forwarded this to the "pothole team" for repair.

- b) **Speed, parking and congestion survey Church Road, Moreton**

Due to Covid19 this survey has been delayed. The Clerk is currently in contact with Highways with a view to it being undertaken in early October dependant upon the situation with COVID19.

- c) **Request for speed restriction on Watery Lane and through Little Laver**

County Councillor, Maggie McEwen to provide an update.

10. CLERKS COMMUNICATIONS AND CORRESPONDENCE REPORT

To **RECEIVE** the oral report of the Clerk on matters which may be of current interest to Members and which require a formal update, and to **RECEIVE** such correspondence and communication as the Clerk may place before the Council. Items under this agenda item are for **NOTING** only

- Rural Affordable Housing. As agreed at the last Parish Council meeting a RCCE representative from the Rural Housing Team will attend the November meeting to talk to the Parish Council about possible opportunities and funding for rural exception housing. .
- The Health and Wellbeing Co-ordinator from the EALC will also be attending the November meeting to give a presentation on how we can engage more with the community and improve general health and wellbeing.
- Play in the Park. Two sessions took place during the summer which were relatively well attended in the light of the current circumstances. However, as with last year a special guest appearance was made by adders, despite the grass being cut short. Local dog walkers have been e-mailed to ascertain if and where they have seen adders as EFDC are keen to locate their nests as they are a protected species. It would also be useful to have this information for when any maintenance or events are taking place so that they can be avoided.

11. MHCLG WHITE PAPER ON PLANNING REFORMS

A short report summarising the main points of this paper has already been circulated and the White Paper can be accessed at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907245/MHCLG_PlanningConsultation.pdf

Members are asked to **DISCUSS/AGREE** a response to the consultation paper.

12. NOTICEBOARD POLICY

The Clerk only has one set of keys to the noticeboards and is unaware who else holds the keys, other than Cllr Cooper. Last year she had to remove advertisements for a children's clothing company which only provided a website address from two of the Noticeboards. In view of this Councillors are asked to **CONSIDER/AGREE** replacing the locks on the three noticeboards. The price of replacement locks with 3 spare keys will be circa £25-£30. The locks are very easy to replace and the Clerk is willing to undertake this task.

Members are asked to **AGREE/AMEND** the attached Noticeboard Policy.

13. DEDICATED E-MAIL ADDRESSES FOR COUNCILLORS

These have now been set up and Members are asked to **CONSIDER/APPROVE** the annual domain hosting cost of £30 to enable them to go live.

As soon as they are live the Clerk will advise members how to set up and access them.

14. DEFIBRILATOR

A grant of £1522, which was supported by Cllr McEwan, has been awarded from the Locality Fund, to move the defibrillator from behind the White Hart to the phone box, including the repainting of the phone box and for a second defibrillator to be located in the Lavers or Bobbingworth. The cost of the second defibrillator will need to be supplemented with a further grant from either the British Heart Foundation or a micro grant from the EALC

Members are asked to **AGREE** the location of the second defibrillator. The Clerk will then obtain the additional funding to enable this project to go ahead.

A member of the public has very kindly made a donation of £70 towards the cost of the new defibrillator pads and batteries and members are asked to **AGREE** sending a formal letter of thanks from the Parish Council.

15. REPAINTING OF PHONE BOXES

Part of the grant application referred to in 13 above is for repainting of the Moreton Phone box. Repainting of two phone boxes was included in this year's budget. The Clerk is currently obtaining estimates for the cost of repainting all three boxes.

Members are asked to **AGREE** that subject to satisfactory estimates that repainting of the phone boxes should go ahead. Details of the cost will be circulated to members for approval by e-mail prior to any work being undertaken.

16. NEW RURAL POLICING UNIT

Cllr Stephens, who is the Council representative on SIAG, received a copy of the Police, Fire and Crime Commissioners Report for Essex in June.

It states that the current Police and Crime Plan would be extended until 2021 in the light of the current pandemic and that COVID 19 has substantially altered their operating context.

There is to be a new unit to help prevent and respond to rural crime with the following scope:

To work with rural communities to strengthen our response to preventing and fighting crime in rural areas through implementing the Rural Crime Strategy:

- reassure rural communities
- deter crime
- gather (and share) intelligence
- bring to justice those who commit crimes in rural areas
- offer advice and support, and develop crime prevention plans
- develop the Farm and Rural Watch network
- work with neighbouring forces
- host Rural Crime Awareness events
- work with key partners and the community with our rural communities to strengthen our response to preventing and fighting crime in rural areas

Councillors are asked to CONSIDER/AGREE whether they would like the Clerk to approach Chief Inspector Batsford and ascertain what action this unit has taken/is intending to take within our parish.

17. INTERNAL AUDIT 2019/20

The auditor's report is still awaited.

18. NEW CHRISTMAS LIGHTS/CHRISTMAS TREE

Councillors are asked to CONSIDER/AGREE whether to purchase new Christmas lights and if so how many strings. The cost is approximately £12.00 per 10 metre string.

It should be noted that some of the bulbs on the existing lights are not working and that an electrical check will have to be undertaken on both the existing lights and the socket. Cost to be advised at the meeting.

As agreed at the last meeting the Clerk has contacted Calcott Hall and we will be able to choose which tree we would like before it is cut. Cllr Radbourne has kindly volunteered to undertake this. It will then be cut down at the end of November for collection a few days later.

19. CHRISTMAS TREE LIGHTS SWITCH ON

Members are asked to CONSIDER who they would like to switch on the lights this year.

The Headteacher at Moreton Primary School has advised that if restrictions allow the choir would be able to attend the Christmas lights switch on and sing carols but she thought that this was unlikely given the current situation. In view of this do Members wish to CONSIDER/AGREE whether to engage the

services of a musician or possibly one or two members of the Essex Caledonian Pipe Band to play Christmas Carols?

The Christmas Lights switch on will be advertised in both Parish Magazines and on the Parish Noticeboards. The advertisement will be agreed by e-mail nearer the time in case the restrictions change.

20. PARISH OPEN MEETING

It is very unlikely that the Open Parish Meeting will be able to take place this year given the current circumstances.

Members are asked to CONSIDER/AGREE whether, if the restrictions allow, they would like to serve wine and soft drinks on the green as an alternative?

21. STOP STANSTED EXPANSION

An Appeal has been lodged against Uttlesford District Council's Decision to oppose the expansion.

Please see the attached e-mail from SSE for further details

22. FORMAL COMPLAINT TO EFDC RE NEIGHBOURHOOD PLAN AND MALTINGS FARM APPLICATION

A response to the stage 2 complaint has now been received and has been circulated to all Councillors .

Councillors are asked to **AGREE**

- i) to refer this matter to the Ombudsman if the revised application has been discussed by EFDC and the comments made both in the Parish Council's Stage 1 and 2 complaints as well as the objection to the revised application are not taken into account; and
- ii) this will be supported by a list of other planning complaints where the Parish Council believes that EFDC have failed to follow planning regulations and protocol.

23. PLANNING

1. Blakes Golf Club – Licensing Application

Details of this application have been circulated to all members. The Chairman and Vice Chairman are due to meet the managers of Blakes Golf Club on 7th September to discuss the Parish Council's concerns.

The Clerk has also received an invitation for a Parish Council representative to attend the official hearing for the application, which will take place on 22nd September via Zoom, and make comment.

Members are asked to CONSIDER/AGREE who should be the Parish Council's representative and what comments they would like the representative to make.

2. **To NOTE** the following planning applications below which have been responded to by way of the Clerks delegated powers following e-mail consultation with Councillors

EPF/1412/20	Embleys Farm Fyfield Road Moreton Ongar CM5 0HY	Proposed single storey extension to the existing house, construction of a cart lodge, construction of a garden shed and workshop and ancillary works.(Revised application to EPF/0485/20).
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The Parish Council asked for clarification as below:

Could you please provide clarification on whether this site is now residential or part commercial/part residential?

And **OBJECTED** to this application on the following grounds:

1. **It is a disproportionate increase on the footprint of the original dwelling.**

The agents state that this proposed extension will increase the footprint of the original dwelling by 45%. However the Parish Council do not believe that this calculation is accurate. Please see attached DRW REFSK10 Rev E.

- the original footprint of the Farmhouse is outlined in green;
- the 2014 extensions are highlighted in pink;
- the current application for the single storey extension is highlighted in yellow.

Taking the footprint of the whole dwelling as drawn as 100%,

the original (green) = 45%,

2014 Extensions (Pink) some of which never previously had any permission = 39%

the current single storey extension = 16% yellow

Whilst the extensions add up to 55% of the whole they in fact represent **122% increase** on the original footprint.

e.g. 45m² doubled would equal 90m² and therefore (45m² x 122%) = 55m².

This is a disproportionate increase on a grade II listed building and does not take into account the second floor extensions of 2014.

2. The design and access statement describes the sizeable Cart Lodge and barn which is outlined in brown in the second drawing attached DRW REF SK9 as well as another building outlined in purple (which has a reception area. Kitchen space and another office) as in full within the NPPF.

3. The design and access statement states

“USE Embleys Farmhouse is an established dwelling and the residential use of

*the site is therefore reasonable and appropriate. **Whilst the proposal will involve the change of use of part of the site from commercial to residential use this will not conflict with green belt Policy objectives as the commercial yard is previously developed land which is not in agricultural use.***

However, there is **no reference to change of use anywhere else in the application**. This needs to be clarified and if necessary an amended application submitted.

EPF/1656/20	Maltings Farm, Church Road, Moreton, Ongar CM5 0JY	Reserved matters application to EPF/0181/18 for removal of outbuildings and existing dwelling. Erection of three attached dwellings. Formation of new highway access and ancillary works
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The Parish Council **OBJECTED** to this application on the following grounds:

It does not comply with Policy MBL1.1. of the Moreton, Bobbingworth and the Lavers Neighbourhood Plan, which forms part of local planning policy, and states that “New open Market housing developments should predominantly comprise one or two bedroom houses.

The Parish Council has noted the reduction in the footprint size of the proposed dwellings in this revised application but nonetheless it is still for 3 x 3 large bedroomed homes

The Parish Council is still in dispute with the EFDC’s legal opinion regarding the Neighbourhood Plan. This has to date been the subject of a stage 1 and stage 2 complaint and has not been resolved to the satisfaction of the Parish Council.

The Parish Council would therefore reiterate that Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination must be made in accordance with the policies in the development plan as at the date of the determination of the reserved matters applications and the argument that, because outline planning permission has been granted the neighbourhood plan is not valid or is outweighed conflicts with the wording of section 38(6).

It is not correct to describe the existence of the outline permission as an “exceptional circumstance” that justifies outweighing the relevant and more recent policies in the adopted Neighbourhood Plan. There is no legal basis for such an approach and, if uncorrected at the time of the decision by members, it will seriously mislead the members and the resultant decision to approve (if that is what transpires) may be tainted by illegality. All the outline planning permission has done is approve the principle of the development, but it does not, and cannot as a matter of law, pre-determine issues that the applicant has chosen to leave undetermined until the reserved matters stage. Section 38(6) is clear, and it applies to any determination that is required to be made under the Town and Country Planning Act 1990 and which includes a determination on a reserved matters application.

In the circumstances it is inappropriate that a decision is taken which may be tarnished by illegality. The Parish Council requests that any discussion is deferred until the definitive legal position is accepted by all parties.

3.To NOTE the following planning decisions.

EPF/0922/20	Wynters Cottage Hastingwood Road Magdalen Laver Ongar CM5 0EW	Full Planning Application Proposed pitched roof two storey rear extension to the dwelling.	Grant Permission (With Conditions)
EPF/0865/20	Hen House Barn Moreton Road Ongar CM5 0EY	Proposed single storey front & side extensions. Internal alterations, addition of a rear Juliette balcony. Construction of a 4 bay cart lodge for Hen House & Southend House.	Refuse Permission (Householder)
EPF/1249/20	Paddocks Little Laver Road Little Laver Harlow CM17 0RH	Removal of existing front bay windows, side bay, conservatory and sun room . Construction of single storey front extension with feature gable. Two storey rear extension and raising of part of the roof. (Revised application to EPF/0123/20).	Refuse Permission (Householder)
EPF/1412/20	Embleys Farm Fyfield Road Moreton Ongar CM5 0HY	Proposed single storey extension to the existing house, construction of a cart lodge, construction of a garden shed and workshop and ancillary works.(Revised application to EPF/0485/20).	Grant Permission (With Conditions)
EPF/2146/19	The Old School School Lane High Laver Ongar Essex CM5 0EE	Certificate of Lawful Development - Existing Use Certificate of lawfulness for existing use of an outbuilding ancillary to the main dwelling.	Unlawful

EPF/1721/20	Envilles Farm Abness Road Little Laver Ongar Essex CM5 0JH	Extension of Planning Permission pursuant to The Business and Planning Act 2020 (EPF/0561/17 - Demolition of the existing B8 store building and the erection of 3 no. four- bed dwellings with associated hard and soft landscaping	Refuse Permission
EPF/2223/19	Little Chef And Travelodge Epping Road North Weald Bassett Epping Essex CM16 6RZ	Extension and alteration of the former Little Chef building associated with the Travelodge at Epping Road, North Weald, Epping plus change of use to C1 use in the form of six serviced apartments	Grant Permission (With Conditions)
EPF/0018/20	Maltings Farm Church Road Moreton Ongar CM5 0JY	Reserved Matters Application ref: EPF/0181/18. (Outline planning application for removal of outbuildings & an existing dwelling. Erection of x3 no. detached dwellings. Formation of a new highway access & ancillary works).	Refuse Permission

4. Planning Decisions

Members are asked to NOTE the following and to CONSIDER/AGREE what action, if any, they wish to take:

- Envilles Farm. This has been refused but there is no copy of the Parish Council response on EFDC's website despite it being submitted on time. This has been refused on SACS which is a point raised by the Parish Council but no mention is made in the Officer's report of the Neighbourhood Plan which is now part of the Local Plan and the application contravened two of the Policies contained with the plan 1.1 and 1.3. This point was made in the Parish Council's response
- Embleys Farm. This was granted and again there is no copy of the Parish Council response on the EFDC website,

despite being submitted in good time and there is also no officer report available.

Members attention is also drawn to the fact that on the application for Farm Cottage, Ashlyns Lane, Ongar further information was requested as the plans provided were insufficient to make a decision. However, this request was totally ignored and this request was merely added into the officer's report as the Parish Council's comment!! A delegated decision was made for approval but this has not appeared on the formal decisions list.

- 5 To NOTE the following enforcement action regarding the decision on the increase in number of mobile homes and that EFDC have made a decision that it is not expedient to take Enforcement Action.

ENF/0115/15	Lakeview, Harlow Road Moreton Ongar Essex	Increase in the number of mobile homes on site and in size of bunding	E03a - Notice Authorised 1 - Notice Issued 1 - Enforcement Notice Served E03c - Notice Effective Date E03d - Notice Compliance Due 4 - Not Expedient to take Enforcement Action
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24. BOBBINGWORTH CLOCK

The Clerk has received a request for grant monies of £200 as per the revised grant guidelines. Although the guidelines state that the monies should be requested by 10th October in time for the November meeting the clock has developed a fault and at present is not working. St Germain's Church have therefore asked if the grant could be brought forward so that the annual service and repair can be done at the same time to save costs.

Councillors are asked to CONSIDER/AGREE to grant a maximum of £200 for the annual service and repair. St Germain's Church have stated that they will pay any costs above the £200 agreed.

25. FINANCIAL MATTERS

- i) To NOTE that the Clerk's overtime for July and August was £224.48 and £84.14 respectively
- ii) To NOTE the increase in the Local Government (NJC) scales as attached which are backdated to 1 April. The increased amount on salary and overtime is £96.97
- iii) To **APPROVE** the following payments detailed below:

Payment Number/method	To	For	Amount
BACS	Julia Milovanovic	Overtime July	£224.48
BACS	HMRC	National Insurance (July)	£23.54
BACS	Julia Milovanovic	Overtime Aug	£84.18
BACS	Vikatechost	Domain hosting for e-mail addresses	£30
BACS	EFDC	Play in the Park	£170
BACS	Carol Foulser	Land Registry charges reimbursement	£28.00
SO	Julia Milovanovic	Sept Salary*	£498.51
SO	Julia Milovanovic	Oct Salary *	£498.51
BACS	Julia Milovanovic	Home Office expenses 5 Sept – 7 November 10 x £10	£100.00
BACS	Julia Milovanovic	Backdated salary increase	£96.97

*Any overtime incurred by the Clerk for Sept and Oct will be agreed by the Chairman, authorised by two signatories and reported to the Council at the November meeting.

iv) **Bank Balances as at 4 Sept 2020**

Unity Current Account	£1,387
Unity Deposit Account	£28,717

v) To **NOTE** the Bank Reconciliation detailed below.

Balance per bank statements as at 4 Sept 2020		£	£
	Unity Deposit Account	28,717	
	Unity Current Account	1,387	
			30,105
Less: any un-presented cheques at 4 Sept 2020		0	
Add: any un-banked cash at 4 Sept 2020		0	30,105
Net balances as at 4 Sept 2020			30,105

CASH BOOK:

Opening Balance 1 April 2020 22907

Add: Receipts in the year	16395
Less: Payments to 4 Sept 2020	9197
Balance [receipts and payments book] as at 4 Sept 2020	30,105

vi) **VAT.**

The VAT reclaim has been submitted to HMRC.

26. CLERK'S WORKING HOURS

At the March meeting it was agreed to review the Clerk's core hours to see if they needed to be increased. This decision was to be based upon overtime during the period March – September.

However, due to the unprecedented circumstances the Clerks has worked a considerable amount of overtime and it has been quite difficult to separate much of the extra work from normal day to day issues. In view of this Members are asked to AGREE/CONSIDER that we continue with the current arrangements and that this be reviewed in March 2021.

27. ANY OTHER BUSINESS

Any items which members may wish to raise

28. DATE OF NEXT MEETING

The date of the next meeting will be on the 10th November at 7.30 pm. It is currently scheduled to be held in Moreton Village Hall but may have to be held virtually.

There may be Planning Committee meetings held before this date if there are applications that need to be considered

29. ITEMS FOR NEXT MEETING

Councillors are asked to advise the Clerk of any items they would like included on the next meeting agenda