

**DEBDEN PARISH COUNCIL**

**MINUTES OF A MEETING OF DEBDEN PARISH COUNCIL HELD ON WEDNESDAY,  
6TH FEBRUARY, 2019 AT 8.00PM IN THE MEMORIAL HALL, DEBDEN**

**Present:**

Cllr R. Forster	(RF) Chairman
Cllr E. Blackie	(EB)
Cllr S. Luck	(SL)
Cllr A. Tetlow	(AT)
Cllr A. Tetlow	(AliciaT)

**In attendance:**

Mrs. C. Griffin, Clerk.	(CG)
Dist Cllr T. Knight	(TK)
14 members of the public	

**19/114 Apologies for absence**

Apologies were received from Cllr S. Watson (private commitment) and Cty Cllr S. Walsh.

**19/115 Declarations of Interests**

**To receive disclosures of pecuniary and non-pecuniary interests in items on the agenda**

No interests were declared.

**19/116 Public participation session (15 minutes available if required)**

**Members of the public are permitted to make representations, and give evidence in respect of any item of business included on the agenda**

The following issues were raised:

- It is now a year since the meeting was held with ECC regarding Byway 37. The Chairman advised that this matter has to be dealt with by the landowner and ECC
- Last year funding of £45,000 was allocated to Byway 75 but no work has been done. The Chairman said this was included on LHP agenda last month and he will write to our Cty Cllr Simon Walsh.
- ECC have now cut down the willow tree at Hamperden End.
- Would the PC consider making a donation to the local First Responders to cover their expenses; £50 will be given from the Defibrillator fund. This will be included on next agenda
- The organiser of the Debdcycle advised that the 2019 event will not be held on Debden Recreation Ground in view of the stipulations imposed. It will be held elsewhere as he cannot accommodate the conditions proposed. It was pointed out by the Chairman of the RG Trust that the organiser could have sent a request to attend a meeting of the Trust to discuss this.

- What is going to be the standard procedure for holding fund raising events on the recreation ground.
- What is the PC's position on the development in Thaxted Road, particularly regarding access and the proposed pavement.  
The Chairman said this has only recently been added to the website and the PC have not discussed it. We believe it is common land, registered under CL370, and in 1981 manorial rights were granted to the PC. The PC need to advise ECC of this and find out what the legal situation is.
- Interested parties in the village should form a committee to look into a response to this. The developers have already moved in containers.
- The landowner could provide a footpath to the wood and then to the School.
- When will the PC hand over the shop building.  
The Chairman said the PC does not own or have responsibility for the shop. Geoffrey Bray, Chairman of Debden PC in 1983, when the shop was built has been consulted and he said nobody owns the shop.
- At the last meeting it was suggested that the triangle in Deynes Road should be made smaller. I do not think this would be a good idea.  
The Chairman confirmed that we have written to ECC and drawn their attention to the current problems and are awaiting a response.

### **19/117 To receive Reports from District and County Councillors**

Report from Cty Cllr Simon Walsh had been circulated.

Dist Cllr Knight raised the following matters:

- I have written several times to ECC regarding the Walden Road. Would the PC send a letter as it is an accident waiting to happen.  
The Chairman advised that last year Cllr Andrew Tetlow dug out the ditch and ECC carried out an investigation of the drainage system. They have now given us a plan and we understand a trench dug for services in the past has broken the drains. The necessary works proposed for ECC budget this year. We will try and get some indication as to when the complete road will be resurfaced.
- There are still problems with school buses at Carver Barracks. A plan is needed indicating which areas at the Barracks show Debden as there nearest school. The Clerk offered to contact the ECC Cabinet member for education.
- There is concern about the development on Thaxted Road. What is the PC's position regarding the access and proposed pavement. They say there is no flooding but this could affect people in Rook End Lane. The design is totally out of keeping, it should be an exception site so that people with a local connection would benefit. This needs to be redesigned and the number reduced. It was considered that a proposal for two houses would significantly harm the open characteristics of the rural countryside setting therefore 36 are totally inappropriate. The developers containers are already in situ. UDC are furious because it appears there is some collusion. I was recently advised about the proposed pavement.

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- Regarding the Debdcycle anyone who owns land has to put in a clause in case of bad weather. With regard to insurance there are grants available.
- The Shop building does not belong to the PC and there should be letters in the file from Stonehams solicitors.

**19/118 To approve and authorise the Chairman to sign the Minutes of the Meeting of the Council held on 2<sup>nd</sup> January 2019**

The Chairman of the Village Hall Trust, who was present at the meeting, said he did not agree with the PC notes in the Parish Pump or the statement under 19/100. regarding the contribution to legal fees.

It was resolved that the Chairman should sign the Minutes as approved.

Proposed: EB

Seconded: RF

All agreed

**19/119 To re-confirm the PC's acceptance of the recommendations in the Internal Auditors Report (agreed under 18/064, PC Meeting of 5<sup>th</sup> September) and (a) to agree whether to contact the Internal Auditor regarding possible implications, legal and financial, for the PC relating to the land exchange and (b) to decide whether to proceed with further legal advice.**

The Chairman advised that the Auditor expressed his concerns because the RGT and PC comprise mainly of the same people. If the RGT entered into a land exchange and something went wrong would the PC be liable, financially or legally, or in the case of contracts entered into by the VHT now, or in the future, would the PC or RGT become liable in any way. As custodian trustees of the Village Hall the PC have to approve the land exchange contract and, before the RGT and VHT sign, the PC and RGT need to ensure that the VH Trust have put in place sufficient insurance to cover all contingencies.

SL asked why the wording of the February agenda item had been changed and added that the PC is not performing correctly. Someone has changed the agenda item I requested and Item 3 of the auditor's report has been avoided and the issues are not being dealt with.

The Chairman said he believed the PC had satisfied the concerns raised by the Auditor by discussing with him that the PC and RG Trust operate entirely separately and by explaining why the RGT were able to support this proposal and not the previous project. The RGT have been to lawyers specialising in charity law and all concerns raised have been dealt with. The PC, as custodian trustee of the Village Hall, must have the necessary involvement and oversight in any further contracts by the VHT and there is sufficient protection for the PC on these contracts.

It was proposed that the PC would contact the Internal Auditor regarding possible implications, legal and financial, for the PC relating to the land exchange as we understand his concerns have been satisfied.

Proposed: AliciaT

Seconded: RF

Agreed unanimously

It was proposed that the PC do not proceed with further legal advice.

Proposed: AliciaT

Seconded: RF

Agreed unanimously

**19/120 To confirm arrangements for the Annual Assembly on 10<sup>th</sup> April 2019.**

SL had objected to the piece included the February edition of the Parish Pump. It was re-confirmed that the Annual Assembly is a Parish Meeting convened and managed by the PC. Individual members are unable to host it. It was also pointed out that this will come within the “purdah” period and therefore would not be appropriate.

It was agreed to serve tea, coffee and biscuits after the meeting.

**19/121 To discuss planning applications received and any other planning issues**

**UTT/19/0021/FUL Leggatts Farm, Debden Green**

One five bedroom house

No comments were made.

**UTT/18/1007/OP land at Mill Road, Debden**

According to the website an Appeal has been lodged. The Clerk has contacted UDC as the PC have not yet been notified.

**UTT/18/1706/FUL 36 houses on land west of Thaxted Road**

TK pointed out that residents have contacted her regarding the number of houses, (25 in the UDC Reg. 19 Local Plan), the design, no presentation to the village before submitting the plans, safety concerns, and it will change the whole ambience of the village.. The latest drawings show a pavement from the development to link up with pavement at the front of Highfields. TK asked if the PC would approve the access as this is common land with manorial rights.

The Chairman advised that this was pointed out in the PC's original response to the application but a further letter will be sent to ECC informing them that it is common land with manorial rights. Copies of the letter to be sent to Gordon Glenday, Nigel Brown, Luke Mills, at UDC, Kemi Badenoch MP, Dist Cllr T. Knight and Cty Cllr S. Walsh.

The following have been approved, subject to conditions:

**UTT/18/3082/HHF Lovecotes Lodge, Debden Green**

Single storey rear extension

**UTT/18/3181/HHF Wychbars, Hamperden End**

Conversion of loft space of garage building

**19/123 To approve Accounts for payment**

A letter to Natwest bank was signed to transfer £2,000 from the Deposit Account to the Current account

It was proposed the that following payments should be approved:

Proposed: AT

Seconded: EB

All agreed

Russell-Cooke	£800.00	Part payment of Inv. 359591 for legal fees for advice on Village Shop
LCPAS	£45.00	Course - Village Greens & Common Land
Debden Village Hall	£58.50	Hire charges
C. Griffin	£412.12	Net salary + expenses (January)
C. Griffin	£13.58	Printer cartridges

**19/123 To agree to the formation of a Personnel Committee to sit when required to ensure that the correct employment process is followed**

The Chairman advised that we need to form a Personnel Committee to review the Clerk's contract of employment.

EB, RF and AT agreed to serve on the Committee

The Committee will now need to meet, elect a Chairman, and agree some terms of reference. We can then invite the Clerk for a review.

**19/124 Items for next agenda**

- To decide whether to replace the existing CCTV with a new system.
- To consider reserving a date for a training course for Councillors after the May elections and topics to be covered (dates circulated 13<sup>th</sup> December).
- To review the Allotment contract and hiring charges.
- To discuss parking problems in the village.
- To consider making a donation to the First Responders.

**19/125 Date of next meeting**

The next meeting will be on Wednesday, 6<sup>th</sup> March, 8.00pm in the Village Hall.

The meeting closed at 10.20 pm

Signed.....(Chairman)

Dated: 06.03.19.

