

Cheveley Parish Council

c/o 59 West Street, Isleham, Ely, Cambridgeshire, CB7 5SD

Chair: Richard Jackson
Vice chair: Claire Elbrow
Clerk: Marilyn Strand

email: richard.jackson@cheveley.org
email: claire.elbrow@cheveley.org
email: clerk@cheveley.org
Website: www.cheveley.org

Tel: 01638 731850
Tel: 01638 731513
Tel: 01638 780835

MINUTES

Cheveley Parish Council Extra- Ordinary Full Council Meeting on
Tuesday 8th August 2017 at 7.30pm
at the Community Room, Cheveley Primary School, Park Road.

Present: Claire Elbrow (Vice-Chair), Jane Gibson, James Hadlow, Jaquilyn Hascombe-Brook, Sheila Marvin, Brent Noble, Sallie Thomas and Sue Willows. County Cllr Mathew Shuter and Lisa Chambers (Cambridgeshire ACRE) were also in attendance.

There were 3 members of the public present.

The meeting was opened at 7:30pm.

47/17/18 Apologies and approvals for absence – apologies received and accepted from Cllrs Richard Jackson, Ian Jackson and Tracey Peel (personal). District Cllr Peter Cresswell had also sent his apologies for the meeting.

48/17/18 Declarations of Pecuniary Interest
None.

49/17/18 Open Forum for Public Participation (10 mins)

Members of the public had attended the meeting in regard to Item: 54/17/18 (b): planning application at Land east of The Paddocks, and expressed their thanks to the PC for its support in objecting to this application. In particular, Cllr James Hadlow was thanked for the work he had put into responding to the application, and for attending ECDC's Planning Committee meeting to speak on behalf of the PC and put forward its objections in person. Residents also expressed their disappointment in the generally poor behaviour of the Planning Committee at the meeting, and particularly in their treatment of Cllr Hadlow.

50/17/18 Approve and sign Minutes of PC meeting held on 11th July 2017 – AGREED and signed by the Chair with the following amendments:

Item 39/17/18 (a) (13) New Print Ltd – newsletter ~~distribution~~ printing.

Item 39/17/18 (a) (18) Anglian Water ~~re ground~~/pavilion Mar-Jun.

Item 41/17/18 (b) Cllr Marvin will research the ~~possibility~~ provision of hosting councillor training ~~led by the Suffolk Association of Local Councils (SALC)~~ and report back to a future meeting.

Item 42/17/18 (b) Any further meetings with CA will be notified ~~to all councillors~~ in advance and *be open to all councillors*.

Item 43/17/18 (a) ...checks and maintenance of the defibrillator since it was ~~re~~-installed...

51/17/18 Matters Arising including reports from the Clerk, Councillors and volunteers (for information only)

(a) Report (written) from Cllr Marvin – NOTED. Cllr Marvin added the following:

- The car park fencing has not yet been fully completed and the Clerk will contact the contractor to find out when they will be coming to finish the work.
- Following the break-in at the pavilion, members of the Royal British Legion had helped Cllr Marvin to re-organise the right-hand store and the PC's gazebos have now been stored in there.
- The paper and can banks had now been emptied.
- Stickers for dog waste bins have been received and Cllr Marvin will place these on the bins.
- CCC had received complaints regarding overgrown vegetation on some of Cheveley's public rights of way however, Cllr Marvin had walked the footpaths to check and had found them to be clear and unobstructed.
- Meeting with Fire Officer (report) – deferred to next meeting.

- The Mirim skate at the recreation ground must be kept for at least 5 years from the date of installation according to the conditions of the grant associated with it. No restrictions apply to the shelter which can be removed and sold/disposed of.
- Cheveley Sports Club was requested to remove their sign from the recreation ground wall to allow the dog show organisers to put their sign up but it had not been removed, despite a council decision to request it.

Other matters reported:

- The new dog waste bin for the recreation ground will be concreted in by Steve Proctor for £60 as opposed to using a fixing kit costing £120.
- The County Council had now cut the grass on footpaths 1 and 2 in the parish.

52/17/18 Reports from District and County Councillors (Verbal)

County Cllr. Mathew Shuter reported the following:

- The street lights at Broomstick Corner have now been upgraded (lamps replaced but not the pole).
- There is currently a review of Children's Centres being conducted by CCC. It is possible that the centre in Bottisham will be closed and replaced with a service in the community and Cllr Shuter expressed his concern regarding this. Councillors were asked to visit the website and complete the review which can be found under 'Children's Services'.
- The next Parish Forum meeting will now be held on Monday 30th October.
- CCC is looking at ways to streamline waste disposal across the county.
- The Local Highways Initiative will be rolled out again for the financial year 2018-19.
- Both CCC and ECDC have raised councillors' allowances this year to bring them into line with the national average.

53/17/18 Cheveley Pavilion & Recreation Ground Charitable Trust

(a)

Lisa Chambers, Community Facilities Development Officer at Cambridgeshire ACRE, had attended the meeting to advise the PC on charities and governance, particularly in regard to the Pavilion & Recreation Ground Charitable Trust ('the charity'), and to answer any questions from councillors. Lisa began by handing out a document giving answers to questions which had been forwarded to her in advance. The main points covered were:

- Cheveley Parish Council is the sole trustee of the charity.
- Benefits of running the recreation ground and pavilion through the charity include: public trust – the charity exists for social good; assets owned by the charity cannot be used for any purpose other than the pursuit of charitable objectives; tax relief in various forms; certain sources of grant funding are only open to charitable organisations.
- The charity's governing document does not contain a dissolution clause so an order or scheme to close it would be needed from the Charity Commission. In the event this was granted, the land and buildings would need to be sold and the charity trustee (CPC) would need to be satisfied that the terms of the sale are the best possible for the charity.
- The charity is set up as an unincorporated charitable trust but could be converted into a Charitable Incorporated Organisation (CIO) which might be beneficial in reducing the administrative burden on the PC.
- Cambridgeshire ACRE's Information Sheet 36 'Village Halls run by Parish Councils as Sole Trustee' provides full details on the administration of the charity.
- It is essential that separate accounts are kept in the charity's name for both income and expenditure as required by the Charities Act 2011. Accounts must be prepared in accordance with current Charity Commission guidance; charities with income below £250,000 can choose to prepare 'simple' accounts.
- Cambridgeshire ACRE recommends holding off making any decisions about the future of the charity until the feasibility study is complete in October. The time between now and then should be spent getting the existing charity running properly i.e. producing and submitting the missing annual returns to the Charity Commission. Until this has been done, the Charity Commission is unlikely to be amenable to any changes to the charity.
- In answer to the question 'What if no one wants to serve as a trustee?' Ms Chambers replied that a public meeting would have to be held in order to try to regenerate a committee.
- Councillors expressed concern over who would provide administrative support to the charity and how much this would cost and this will have to be discussed further.
- Ms Chambers will provide further information with regard to the clause on 'substantial trading activity' in relation to hiring of the recreation ground and pavilion.
- In answer to the question 'If the PC agreed not to grant donations to the charity and it therefore could not pay its own expenses, would it be forced to close?' Ms Chambers said that the PC would have to take advice from the Charity Commission on this.

- s106 and CiL money can be spent on the charity as long as the expenditure meets the conditions of the grant for example, for community facilities or open spaces.

Cllr Elbrow thanked Ms Chambers for attending the meeting and for the helpful information provided. Councillors agreed that further legal advice should be taken on whether the charity could be closed.

- (b) To discuss the implications of running the Charity: management, accounting, administration and the role of councillors & the Clerk – Councillors, as members of Cheveley Parish Council, are trustees of the charity and this had not been made clear when being elected or co-opted onto the PC. The Clerk may not be able to fulfil the administrative duties of the charity within her normal working hours and is not able to offer more hours at present.
- (c) To consider appropriate action to be taken in regard to the Charity – the Clerk will work with Cambridgeshire ACRE to bring the accounts up to date. Any further decisions will be deferred until the feasibility study has been completed – AGREED.

54/17/18 Planning Applications & Planning Matters

- (a) 17/01233/FUL 19 Park Road – single-storey front extension – NOTED with the following comments: NONE.
- (b) 17/00703/FUM Land east of The Paddocks – residential development of 10 dwellings AMENDMENT: amendment to the shared layout to address comments made by the Local Highway Authority - This application was considered by EDCDC Planning Committee on 2nd August and was **refused**. Cllr Hadlow had attended the meeting on behalf of the PC and reported the following:
- The planning officer had recommended refusal of the application on 3 counts: the development would cause significant harm to the visual amenity of the area; the applicant had failed to demonstrate an adequate surface-water drainage scheme; the negative impact of the proposal upon a number of significant boundary trees and a protected Oak tree within the site. However, amendments to the scheme had satisfied the tree officer and therefore only the remaining 2 reasons for refusal were considered at the meeting. The application was finally refused only due to an inadequate surface-water drainage scheme.
 - It was extremely disappointing that the Planning Committee completely disregarded the PC's parish planning strategy (put together following extensive public consultation) and did not make reference to its lengthy responses to this application.
 - Cllr Hadlow had been subjected to a cross-examination at the meeting and the tone of the questions had been disrespectful and dismissive of all arguments put forward by Cllr Hadlow on behalf of the PC. The developer's representative, however, was not cross-examined in the same manner.
 - It was made clear to the developer that the proposed development would be approved once issues over the surface-water drainage scheme had been addressed.
 - The Chairman of Planning, Cllr Schumann, said that Cheveley parish should take more houses than is currently planned over the next 10 years as other parishes, particularly in the north of East Cambs, are having to take more than those in the south of the district.

Cllr Hadlow will write a letter of complaint (to be sent via District Cllrs Peter Cresswell and Mathew Shuter) regarding the generally poor behaviour of Planning Committee members and the way in which he was spoken to at the meeting – AGREED.

The PC will await a re-submission of the planning application when it will put forward the same objections as already stated, particularly in regard to it being outside of the village development envelope and that it contradicts Cheveley's Planning Policy – AGREED.

- (c) 17/01275/FUL 14 Centre Drive, Newmarket – two-storey side extension and additional dormer to existing rear bedroom – NOTED with no comments.
- (d) 17/00866/OUT Site to rear of 76 Centre Drive, Newmarket – proposed residential dwelling – NOTED with no comments.
- (e) 17/01306/FUL Pump Green House, 160 High Street – 3-bay detached garage block in rear garden (re-submission – previous application approved) – NOTED with no comments.
- (f) Report on EDCDC planning decisions & Tree Works Applications – NOTED.

55/17/18 Finance – Payments for consideration and approval this month – AGREED.

(a) Ref: Payee/Item	Chq. No.	Total	Excl. VAT
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(1)	Twin Dots – website support Aug 17	SO	£50.40	£42.00
(2)	Proctor – fencing 50% deposit	100937	£623.00	
(3)	Clerk payroll Jul 17	SO	£1,002.62	
(4)	Clerk payroll Jul 17	100938	£41.40	
(5)	Pension Contribution (employer) Jul 17	DD	£12.13	
(6)	Pension contribution (employee) Jul 17	DD	£9.71	
(7)	Clerk Mileage expenses Jul 17	100939	£40.50	
(8)	McGregor Services Jul 17	100940	£1,054.80	£879.00
(9)	ECDC play inspection Jul 17	DD	£24.00	£20.00
(10)	ICO registration	DD	£35.00	
(11)	SLCC Regional Roadshow	100941	£82.80	£69.00
(12)	Anglian Water – Cemetery Apr-Jun 17	DD	£10.95	
(13)	Prior Associates – rec ground wall survey	100942	£1,134.00	£945.00
(14)	Euro Loo – planings project	100943	£174.00	£145.00
(15)	Westley & Huff – pavilion valuation	100944	£120.00	£100.00
(16)	D2D Distribution – newsletter Jul 17	100945	£270.00	£225.00
(17)	Cheveley Community Association	100946	£125.00	
(18)	Halls of Cambridge – pavilion door repair	100947	£846.00	£705.00
(19)	Transfer to Barclays account (JUL 17: 39/17/18 (c))	100948	£10,000	
(20)	Transfer to Cambridge BS (JUL 17: 39/17/18 (c))	100949	£20,000	
	<u>Total payments for the month (excluding transfer of funds)</u>		£5656.31	

- (b) Monies received and to be noted:
- Stetchworth Parish Council: contribution to Clerk's attendance at SLCC Regional Roadshow - £34.50.
 - Q1 VAT refund - £2,294.43.
 - ECDC Recycling Credits Q3 & Q4 2016/17 - £180.00.
- NOTED.
- (c) ECDC – offer of s106 grant of £1,808 for recreation ground fencing – NOTED. Cllr Elbrow signed the grant acceptance form.

56/17/18 Pavilion, Recreation Ground & Cemetery

- (a) Pavilion:
- Attempted break-in – discussed under Matters Arising, above. Cllr Marvin was thanked for organising and liaising with contractors to repair the doors and locks which had been damaged.
 - To consider a claim on the PC's insurance for the cost of repairs to the door/locks – the insurance company had confirmed that the PC's insurance premium would not be raised if we make a claim regarding the break-in. Repairs had cost £705 +VAT which will be claimed on the insurance – AGREED.
 - To consider emergency assembly point location to comply with fire regulations – the assembly point will be in the car park by the wall adjacent to the street light - AGREED. To comply with fire safety regulations, an 'Assembly Point' sign will be purchased for £13.25 +VAT and placed at the assembly point. A 'Your Assembly Point is...' sign will also be purchased for £1.70 +VAT and placed in the pavilion – AGREED.
 - The Fire Safety Officer had also advised that the emergency lighting at the pavilion should be tested monthly, A key is required in order to carry out the tests and a set of 3 will be purchased for £10.25 +VAT – AGREED.
- (b) To consider quotation from Fenland Leisure for repairs to play equipment - the following work was AGREED:
- Replacement of damaged Safagrass surface under Kompan unit: parts £23.25 +VAT, labour £141.00 +VAT.
 - To extend safe surface under Cableway with all-weather resin-bonded rubber mulch: £516.80 +VAT.
- Widening of the safety surface under the swings, quoted at £1,146.13 +VAT, will be deferred pending further information on why this is necessary. The surface should already meet safety standards as it was installed as per the supplier's instructions.
- (c) To agree cost of new signage at recreation ground/cemetery – two 'no dogs in the playground area' signs will be purchased for the gates to the children's play area for £3.80 each +VAT – AGREED. Two 'clean it up signs' will be purchased for the recreation ground and cemetery for £3.80 each +VAT – AGREED. It was agreed not to replace the 'No Tipping' sign.

57/17/18 General Maintenance

- (a) Proposed works by UK Power Networks on footpath #4 to bury high voltage cable involving a one-day closure of the footpath – NOTED.
- (b) To consider removal of two concrete-based stops for gates across footpath #1 – AGREED.

58/17/18 Date of Next Meeting.

12th September.

59/17/18 Matters for Future Consideration

Leylandii between recreation ground and Oaklands; recreation ground wall and war memorial repairs; cemetery matters; Speedwatch; Asset Register; salt bins.

The meeting was closed at 9:50pm.

Statutory powers of expenditure relating to this month's payments:

- (1) Local Government Act (LGA) 1972, s.142
- (2) Road Traffic Regulation Act 1984, s.57(1)(b)
- (3-7) LGA 1972, s.112
- (8) Open Spaces Act 1906, ss.9-10; KGA 1972, s.214
- (9) Public Health Act 1875, s.164; Public Health Act – England; Open Spaces Act 1906, ss.9-10 England; Local Government (Miscellaneous Provision Act 1976, s.19.
- (10-14) LGA 1972, s.111
- (15) LGA 1972, s.111 & s.133
- (16) LGA 1972, s.142
- (17) LGA 1972, s.111
- (18) LGA 1972, s.133
- (19-20) N/A