

MORETON, BOBBINGWORTH AND THE LAVERS PARISH COUNCIL

MINUTES

Meeting: Council Meeting

Date: 12 September 2023

Time: 7.30 PM

Venue: Magdalen Laver Village Hall

PRESENT:

Councillors (9): Cllr Crosbie (Chairman), Cllr Busch, Cllr Collins, Cllr Darken, Cllr Day, Cllr Offord, Cllr Leverich, Cllr Martin, Cllr Padfield

Also in Attendance (1): Gurdip Paddan – Clerk

Members of the Public: (0)

Members of the Press (0)

PC.325 APOLOGIES FOR ABSENCE

Councillors Foulser and Stuart.

PC.326 OTHER ABSENCES

Councillor Hall.

PC.327 DECLARATIONS OF INTEREST

Councillor Padfield declared a non-pecuniary interest on agenda item 16 in respect of the proposed Footpath 12, Magdalen Laver.

PC.328 CONFIRMATION OF MINUTES

The Minutes of the Council meeting held on 11 July 2023 were approved. Proposed by Cllr Padfield and seconded by Cllr Offord. All agreed.

PC. 329 PARISHIONERS' FORUM

None.

PC.330 REPORTS

1. The Chairman reported that he attended the Epping Forest branch of the EALC Liaison meeting on 8 September and there were three key items of interest:
 - a) In general the communication options available between EFDC , ECC and the Town and Parish Councils was unacceptable and very inefficient; thus creating a breakdown in the relationship between parties.
 - b) The new planning system implemented by EFDC has significant problems being experienced by Councillor, Officers and the public. The system is not easy to navigate and one issue faced by all is that the documents have to be downloaded to be read. EFDC have received complaints in respect of the new planning application system.
 - c) Levelling Up funding – a presentation was received by the branch meeting from EFDC on the Rural England Prosperity Fund allocation to create a grant scheme aimed at supporting projects at parish level. (The Government's levelling up agenda is designed to improve opportunities for people across the UK by boosting productivity and living standards). There will be smaller amounts (£110k) for 2023-24 projects and a larger amount (£340k) for 2024-25 projection. Grants between £10k - £30k, for capital works to be carried out. EFDC will be sending out more details and the application packs in October. Any projects that are approved must be completed within one financial year.

A general discussion ensued on what could be upgraded within the grant support being provided. It was suggested that Moreton Village Hall could do with a grant to repair the roof; also the car park by the school. It was noted that Councils would have to contribute 20% of financial assistance for projects being undertaken as part of the levelling up grant.

The Council needs to put forward projects/ideas at a future meeting before applying for grant funding. The Chairman will provide an update once he receives further details.

2. Police report was circulated:

‘I just wanted to give an update on Op Brazil that I brought before the Council in a meeting earlier in the year, I have finally got the go ahead from EFDC for the full funding and I have set a date of 11th to 16th September to get the kits done and in place. This operation will now be run at no cost to yourselves as I have managed to get the operation fully funded by EFDC. Thank you however for the pledge of funding previously.

As per my normal meeting attendance where I give crime stats, please see below the crime stats for the last 3mths. This is for the period of 02/05/23 to 01/08/23.

- 31 calls to police, the main crime concerns for a community are as follows:
- 2 Theft of Motor Vehicle
- Out of the 31 calls to police, 7 crimes were recorded
- I then compared this to the same period the year before, so 02/05/22 to 01/08/22:
- 21 calls to police, the main crime concerns for a community are as follows:
- 2 Theft of Motor Vehicle
- 1 Burglary
- Of those 21 calls to police, 10 crimes were recorded

Stats show that whilst there is an increase in calls to police, there is actually a 30% reduction in crime’.

PC.331 COUNCILLOR CO-OPTION

The Chairman advised that a candidate had submitted a short curriculum vitae which had been circulated to Members for consideration before the meeting. The candidate, Martin Day was present at the meeting. Following a vote, Martin Day was duly co-opted as Councillor for Lavers Ward. The Declaration of Acceptance of Office was signed and Cllr Day joined the Council. Members congratulated Cllr Day.

PC.332 COUNCIL NOTICEBOARDS

The Chairman advised that a couple communications had been received from Mr G Cooper in respect of a Moreton noticeboard key. Mr Cooper confirmed that he had two keys for the noticeboard in question. One key he returned to the Clerk when he retired from the Council. The other key, he had informed the Clerk and the Chairman that he received from the past Clerk, Mr C Thompson. He has requested to retain the key so that he can update information on the noticeboard.

A discussion ensued on individuals holding keys to noticeboards. It was agreed that the three noticeboards belonging to the Council have the Council’s official notices on display. The Council must be in control of the information published and have sight of material being displayed. Members agreed that community information is important and that it should be displayed on all three noticeboards. Some community information is currently displayed on Council noticeboards.

Members were advised that there has been an incident at the site; Council information had been dislodged as the Moreton noticeboard had been left unlocked accidentally by a resident.

Little Laver noticeboard – this noticeboard had been removed as it could not be repaired. A Member asked for this noticeboard to be replaced so that Council and community information is available for residents within the locality. A brief discussion ensued and points raised on whether the noticeboard was required; residents could be asked via survey, its use and the cost of replacement. It was agreed to have this item on the Annual Council meeting agenda for public discussion.

It was agreed that a key will not be available to an individual/resident/none-councillor and all information for displaying to be communicated via the Clerk. Proposed by Cllr Crosbie and seconded by Cllr Busch. All agreed.

PC.333 COMMUNICATION AND GENERAL INFORMATION SHARING

The Chairman opened up discussion on how best to share information that is circulated from principal authorities and other organisations. It was suggested that it be published in the magazines, Council Website and shared via social media. There is plenty of useful information that residents would find valuable. It was suggested that the Council should contemplate setting up a Facebook page for sharing of information but it will require someone to take ownership and work on the site. It was agreed to place this item on the next agenda for discussion.

PC.334 RIDE LONDON 2024

Members were advised that last year there was no consultation with the Council, although the Clerk had written to Ride London representative, ECC's officer and County Councillor. Cllr Martin had spent a substantial amount of time in meeting with Officers and it was felt that residents' views were important. Although the route was well planned and had little impact on the Parish, it was felt that the Council had not been consulted as agreed. There had been a meeting recently and once again the Council had not been informed/consulted, which was quite disappointing.

Cllr Martin suggested that the Council should write to Chris Davy and convey our disappointment in the way the consultation has been conducted. It was noted that the Council had requested for Ride London representatives to attend a Parish meeting.

PC.335 BIOGEN

Emails had been received from a resident in respect of the odour from the Biogen composting plant. It was agreed that residents be asked to inform the Environment Agency of the issues. Members were advised that this Parish Council and North Weald Parish Council had objected to the planning application. The application was only approved for one year.

PC.336 VACANCIES AND COUNCILLOR ATTENDANCE AT COUNCIL MEETINGS

The Chairman advised that there were still two vacancies for Councillors on the Council. Clarification had been sort from the Clerk on non attendance of a Councillor. There has been some confusion over the number of meetings Members need to attend. It was felt that Councillors need to attend all meetings unless there is a good reason for an apology. The law states under Section 85 (1) of the Local Government Act 1972 requires a member of a Local Authority to attend at least one meeting of that Authority within a six month consecutive period. Members are to be reminded of this legislation. It was noted that Cllr Hall has commented on planning applications within the last six months. It was further agreed that Members be reminded to copy all Members into their comments on planning applications to the Clerk.

PC.337 TREE PLANNING AND PLAQUE LOCATION(S)

This item to be on the next agenda for an update.

PC.338 REMOVAL OF PLASTIC TUBES – NATURE RESERVE

Cllrs Leverich and Offord reported on the clearing operation at the Nature Reserve. The breakdown of the plastic is a concern, as a number of trees have grown and the plastic guards have dropped off but plastic debris has been blown across the area. Some young trees still need the guards. There was also the plastic weed matting (barrier) around the trees which has become exposed and looked untidy. This matting required great effort to cut and remove, as the weeds had grown through it. Volunteers spent over two and half hours working on site. Another clearing operation will be arranged in the future.

Mr Damien Weller from EFDC has assisted Members and provided useful information. He agreed that degrading tree guards do need removing to prevent plastic breaking down into the environment.

The Chairman thanked Councillors Leverich and Offord for their report and the good work that is being carried.

PC.339 MAINTENANCE OF GREEN AREAS WITHIN THE PARISH – GRANT REQUEST

A request for £3k grant was received from Community Spirit to help clear/maintain the grassed areas around the Parish. The Council considered the request and agreed to the grant of £3k. Members noted that the clearing/area maintenance operation went well last year and everyone was pleased with the service delivered. Proposed by Cllr Leverich and seconded by Cllr Offord. All agreed to the £3k grant to Community Spirit.

PC.340 INFORMAL CONSULTATION - FOOTPATH 12 MAGDALEN LAVER, ECC

Members considered the email received from Essex County Council on the footpath 12 at Magdalen Laver. This was an information consultation on the proposed diversion of the footpath to an alternative route as indicated on the plan provided. Members agreed to support the proposal. Proposed by Cllr Busch and seconded by Cllr Offord. All agreed.

PC.341 CORONATION LIVING HERITAGE FUND

Communication was received in respect of funding available to support local tree planting projects across England. Grants are available for £10,000 to £50,000 for each project. Application closing date was 10am on 26 September 2023 and the project must be completed by 31 March 2025. Town and Parish Councils cannot apply directly, therefore, the Tree Officer or the Environmental Team at EFDC has to apply for funding on behalf of Town/Parish Council. The email was noted.

PC.342 CLERKS COMMUNICATIONS AND CORRESPONDENCE REPORT

- a) Clerk wrote to the Officer at EFDC for an update on permission required in respect of the registration of the village green. Unfortunately no response has been received. The Clerk has now written to the Chief Executive of EFDC.
- b) The EALC Liaison Branch meeting was held on Friday 8 September and Cllr Crosbie attended the meeting and reported under the Chairman’s report above.
- c) ECC, EFDC, EALC and RCCE communications are emailed to Members on a regular basis.

PC.343 PLANNING

a) Councillors noted the following planning applications below which have been responded to by way of the Clerk’s delegated powers following email consultation with Councillors:

EPF/1515/23	Land on the south side of School Lane, School Lane , High Laver, CM5 0EE	Conversion of an existing building into a one bedroom dwelling. Resubmission of refused application: EPF/1583/21 and dismissed appeal: APP/J1535/C/21/3278107
No objection		
EPF/1553/23	Holly House, Little Laver Road, Little Laver, Harlow, CM17 0QB	Convert garage to living accommodation.
No objection		
EPF/0980/23 File: 000037	Nether Hall, Church Road, Moreton, Ongar, CM5 0JA	Change of use of land and retrospective siting of one lodge for short-term tourist accommodation.
No objection		
EPF/1574/23 File: 006988	Tilegate Farm, Tilegate Road, High Laver, Ongar CM5 0EA	Construction of a tennis court together with perimeter fencing and landscaping
<p>The proposal of a tennis court together with perimeter fencing landscaping is an area outside of the Tilegate Farm redevelopment site. This application site was the subject of an application for construction of a tennis court that was refused by EFDC on 12 June 2023, Ref: EPF/0788/23. We understand that the applicant states that this new application has been submitted in response to EFDC’s reasons for refusal.</p> <p>The Parish Council has considered and reviewed both applications and the difference between this application and one that was refused under EPF/0788/23 is that the height of the yew hedge surrounding the court increases from 2.1 meters to 2.5 meters.</p> <p>Regarding the previous application EPF/0788/23, the Parish Council made the following comment:</p> <p><i>‘We have no objection to the erection of a tennis in this position, providing it is:</i></p> <ul style="list-style-type: none"> <i>a. retained as green belt land and not incorporated into the residential curtilage.</i> <i>b. no flood light are erected.</i> 		

This application, as displayed on the planning authority's website is for the erection of a tennis court together with perimeter fencing and landscaping only.

However, the letter from the applicant's agent, requests a change of residential boundary together with a change of entrance to the site. We have no fundamental objection to the exchange of pockets of green belt land as outlined on plan No 272/01 (02) 0031. We are not planning experts; however we believe, a potential closure of the existing entrance to the site of Tilegate Farm and the potential use of another entrance should be considered as a separate matter - probably as a different planning application. It is a highway safety consideration as to where the entrance is. Our Parish Council's view has consistently been that the position of the entrance on the South-Western side of the site is dangerous, as it is too close to a blind bend. The existing entrance, which the applicant offers to close by a section 106 agreement, is in a far safer place for an entrance.*

** This entrance was closed in 2001 (EPF/0637/2001) "in the interest of highway safety" and the access road was re-routed. This proposed section 106 agreements would reverse this.'*

EFDC's delegated Officer report on EPF/0788/23 states:

Green Belt

Despite being in the Green Belt, the approved residential development was allowed to retain its permitted development rights when planning permission was granted. Despite the retention of these permitted development rights, the applicant now wishes to extend the approved application site / red line / residential curtilage further north encroaching into undeveloped Green Belt Land. This is partly because the applicant has chosen to construct a swimming pool and associated outbuildings on land within the approved application site / red line / residential curtilage which could have accommodated the tennis court which is now proposed. It is unclear whether the swimming pool and associated outbuildings are lawful since no Certificate of Lawfulness application has been submitted to confirm this. Green Belt serves five purposes including to assist in safeguarding the countryside from encroachment. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

Whilst the proposed tennis court would qualify as a facility for outdoor sport / recreation, the proposed development would not preserve the openness of the Green Belt and would conflict with the purposes of including land within it (specifically safeguarding the countryside from encroachment). The proposed development is therefore inappropriate development which is, by definition, harmful to the Green Belt.

The proposed tennis court surface would measure 17m x 34m and would be surrounded by perimeter wire mesh fencing measuring between 1m and 2.5m in height and as such would have a significant physical and spatial impact on openness. Unacceptable in this respect.

Permitted Development fallback position

Officers do not agree with the assertion set out in the covering letter that the submitted tennis court proposal represents a preferable outcome to the alternative PD fallback position.

Development, including that allowed under permitted development rights, should be confined to the approved developed land within the existing red lined application site rather than encroaching further into undeveloped Green Belt land to the north.

The tennis court could have been accommodated within the existing red line/residential curtilage in the northern part of the site had the applicant not built a swimming pool and large outbuildings in this location (apparently under

permitted development rights, although not Certificate of Lawfulness application has been submitted to confirm that these buildings are lawful).

The approved central/northern access road and associated gates and walls are previously approved elements within the existing red line development site. The relinquishment of these elements would not compensate for the proposed further encroachment into undeveloped Green belt land to the north.

Character and Appearance

The proposed development would fail to relate positively to the context of the surrounding area, representing an incongruous development on undeveloped Green Belt land and encroaching into the countryside. Unacceptable in this respect.

In conclusion, it appears that in application EPF/1574/23 none of these points seem to have been addressed. Additionally, the Parish Council **objects** to a 2.5m tall hedge which further impacts on the openness of the green belt and is not appropriate.

The Parish Council does not understand the purpose of resubmitting an application which fails to address the issues which were identified in under EPF/0788/23. Furthermore, our understanding is that development is not permitted under Class E in any area in front of the principal elevation of a house.

Our view is that on all these grounds above, application EPF/1574/23, Tilegate Farm, High Laver, Ongar, CM5 0EA, Construction of a Tennis Court together with perimeter fencing and landscaping should be **refused**.

EPF/1629/23	Lunds Farm House, Wind Hill, Magdalen Laver, Ongar, CM5 0EX	Grade II listed building application for the demolition of conservatory and garage and erection of extension.
No objection		
EPF/1625/23	Lunds Farm House, Wind Hill, Magdalen Laver, Ongar, CM5 0EX	Demolition of conservatory and garage and erection of extension.
No objection		
EPF/1621/23	Croxton, Weald Bridge Road, North Weald Bassett, Epping, CM16 6AU	Replacement dwelling
No objection.		
EPF/1707/23	The Meadow, Pedlars End, Moreton, Ongar, CM5 0LW	Proposed single storey side extension and two storey infill extension and Painting of Exterior.
No objection		
EPF/1775/23	Leapers House, Harlow Road, Moreton, Ongar, CM5 0LF	Single storey rear extension, new front porch and internal alterations.
No objection		
EPF/1973/23	The Dower House, Harlow Road, High Laver, Ongar, CM5 0DT	Installation of low voltage pole and 2 stays supporting the existing overhead line.
No objection		

b) Councillors noted the following Planning decisions by EFDC:

EPF/0788/23	Tilegate Farm, Tilegate Road, High Laver, Ongar, CM5 0EA	Construction of a tennis court together with perimeter fencing and landscaping.	Refused
EPF/0899/23	Redwoods, Little Laver Road, Little Laver, Harlow, CM17 0RH	Replacement side extension.	Approved with conditions
EPF/0959/23	North Wilmore Barn, Workers Road, High Laver, Ongar, CM5 0DZ	Part demolition of an existing wall, of a curtilage listed building, to create an open sided outbuilding.	Refused
EPF/1140/23	Croxton, Weald Bridge Road, North Weald Bassett, Epping, CM16 6AU	Retrospective planning application for construction of a new vehicle access.	Approved with conditions
EPF/1152/23	2 Envilles Cottages, Wellington, Abbess Road, Little Laver, Ongar, CM5 0JH	Single storey side extension to replace conservatory & new canopy roof to front.	Approved with Conditions.

c) Councillors noted the following planning application(s) for which EFDC does not normally accept comment:

EPF/1551/23	Firs House, Moreton Road, Bobbingworth, Ongar, CM5 0LU	Lawful Development Certificate: Proposed	Certificate of lawful development for a proposed single side and two storey rear extensions.
EPF/1823/23	Tilegate Farm, Tilegate Road, Magdalen Laver, Ongar, CM5 0EA	Approval of details reserved by a condition	Application for approval of details reserved by condition 3 'External Finishes' on planning permission EPF/1052/17 (Demolition of existing industrial and storage workshops and equestrian buildings and replacement with three residential units plus annex and outbuilding together with reconfiguring of access road and landscaping).

d) Councillors to note any suspected breach - None

PC.345 FINANCIAL MATTERS

a) Councillors approved the payments below:

BACS	A Busch	Land Registry	£6.00
BACS	EALC	Chairman's training	£342.00
BACS	RCCE	Subscription	£72.60
BACS	A Rogers	July payroll	£25.00
BACS	G Paddan	July Salary	£832.00
BACS	HMRC	July Tax	£208.00
BACS	G Paddan	Travel £5.35 July mtg + Aug mtg £5.35	£10.70
BACS	G Paddan	August Salary	£832.00
BACS	A Rogers	Aug payroll	£25.00

BACS	HMRC	Aug Tax	£208.00
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b) Councillors noted the Bank Balances as at 31 August 2023:

Balance per bank statement as at 30 June 2023	£	£
Unity Deposit Account	42,912.75	
Unity Current Account	3,486.39	
		£46,399.14
Less: Any un-presented cheques at 31 Aug 2023	0.00	
Add: Any un-banked cash at 31 Aug 2023	0.00	
CASH BOOK		
Opening Balance 1 July 2023	46,399.14	
Add: Receipts to 31 August 2023 (precept + int)	0	
Less: Payments to 31 August 2023	2,778.30	
Balance (receipts and payments book) as at 31 August 2023		£43,620.84
Deposit Account £41,912.75		
Current Account £1708.09		

c) Councillors noted the application which has been made to Unity Bank, (as per the Internal Auditor's recommendation) to add Councillors Padfield and Crosbie as signatories. Proposed by Cllr Martin and seconded by Cllr Offord. All agreed.

PC.346 APPOINTMENT OF NEW CLERK

Following the consideration of the applications received for the position of Clerk and Responsible Finance Officer. The Chairman announced that the position was offered to Mrs Adriana Jones and she has accepted the job offer this morning. A start date will be agreed.

PC.347 DATES OF NEXT MEETING

The next meeting will be held at Moreton Village Hall on 14 November 2023 at 7.30pm.

Meeting closed at 8.35pm.

Chairman

Date